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Friday, February 6, 1976
Magha 17, 1897 (Saka)

LOK SABHA DEBATES

(Fifteenth Session)

(Vol. LVII contains Nos. 21 & 22)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Friday, February 6, 1976/*Magha* 17, 1897 (*Saka*)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

OBITUARY REFERENCE

MR. SPEAKER: I have to inform the House of the sad demise of Shri Shankargauda Veerangauda Patil who passed away at Miraj on the 2nd February, 1976 at the age of 65.

Shri Patil was a Member of the First Lok Sabha during the years 1952-57 representing Belgaum South Constituency of the erstwhile State of Bombay. An eminent lawyer and a social worker he took keen interest in the development of rural areas. He was associated with a number of cooperative institutions and other welfare organisations in Belgaum district.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while.

14.01 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS RE. INDIAN POLICE SERVICE RULES, IAS RULES AND ALL INDIA SERVICES RULES FOR 1976

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS

(SHRI F. H. MOHSIN): Sir, on behalf of Shri Om Mehta, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 3 of the All India Services Act, 1951:—

(1) The Indian Police Service (Fixation of Strength) First Amendment Regulations, 1976, published in Notification No. G.S.R. 50(E), in Gazette of India dated the 29th January, 1976.

(2) The Indian Police Service (Pay) Amendment Rules, 1976, published in Notification No. G.S.R. 51(E) in Gazette of India dated the 29th January, 1976.

(3) The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 1976, published in Notification No. G.S.R. 60(E) in Gazette of India dated the 31st January, 1976.

(4) The Indian Administrative Service (Pay) Fourth Amendment Rules, 1976, published in Notification No. G.S.R. 61 in Gazette of India dated the 31st January, 1976.

(5) The All India Services (Death-*cum*-Retirement Benefits) Amendment Rules, 1976, published in Notification No. G.S.R. 128 in Gazette of India dated the 31st January, 1976. [*Placed in Library. See* No. LT-10340/76].

NATIONAL SAVINGS CERTIFICATES (4TH AND 5TH AMENDMENTS) RULES, 1976

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): Sir, on behalf of Shri Pranab Kumar Mukherjee, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 12 of the Government Savings Certificates Act, 1959:—

(1) The National Savings Certificates (Fourth Issue) (Amendment) Rules, 1976, published in Notification No. G.S.R. 28(E) in Gazette of India dated the 19th January, 1976.

(2) The National Savings Certificates (Fifth Issue) (Amendment) Rules, 1976, published in Notification No. G.S.R. 29(E) in Gazette of India dated the 19th January, 1976. [*Placed in Library. See* No LT-10341/76].

REPORT OF COURT OF INQUIRY INTO THE ACCIDENT OPPOSITE MAEL COLLIERY, BIHAR

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): Sir, on behalf of Shri K. V. Raghunatha Reddy, I beg to lay on the Table a copy of the Report (Hindi version) of the Court of Inquiry into the causes and circumstances attending the accident which occurred while mining coal opposite Mael Colliery in District Giridih (Bihar). [*Placed in Library. See* No. LT-10342/76].

DELHI LAND HOLDINGS (CEILING) AMENDMENT RULES, 1976

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): I beg to lay on the Table a copy of the Hindi version of the Delhi Land Holdings (Ceiling) (Amendment) Rules, 1976 published in Notification No. F.11(12)/S.K./C/76 in Delhi Gazette dated the 14th January, 1976 under sub-section (3) of section 27 of the Delhi Land Holdings (Ceiling) Act, 1960. [*Placed in Library. See* No. LT-10343/76].

DRUGS AND COSMETICS (1ST AMENDMENT) RULES, 1976

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): I beg to lay on the Table a copy of the Drugs and Cosmetics (First Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 139 in Gazette of India dated the 31st January, 1976, under section 38 of the Drugs and Cosmetics Act, 1940. [*Placed in Library. See* No. LT-10344/76].

REPORT OF COMMISSION OF INQUIRY INTO SHAHDARA DISTURBANCES OF AUGUST, 1972 AND ACTION TAKEN THEREON AND CORRECTION OF INFORMATION GIVEN DURING CALLING ATTENTION RE BURNING OF HOUSES AND KILLING OF HARIJANS IN BIHAR

SHRI F. H. MOHSIN: I beg to lay on the Table—

(1) A copy each of the following documents (Hindi and English versions) under sub-section (4) of section 3 of the Commissions of Inquiry Act, 1952:—

(i) Report of the Commission of Inquiry into the Shahdara disturbances of August, 19-22, 1972.

(ii) Memorandum of Action taken on the Report.

(2) A statement (Hindi and English versions) correcting certain information given by

him on the 15th April, 1975 during Calling Attention regarding the reported burning of 60 houses of Harijans and murder of their 3 children in Navada district of Bihar. [*Placed in Library. See* No. LT-10345/76].

STATEMENT ON ANGOLA

THE MINISTER OF EXTERNAL AFFAIRS (SHRI YESHWANTRAO CHAVAN): As the House is aware, the Government has always given full support to the struggle against colonialism and racism in Africa. We have been in full sympathy with the Organisation of African Unity which has demonstrated the unity and determination of the continent in the struggle for emancipation. The House will recall that the OAU had recognised all the three liberation movements in Angola—the MPLA (Popular Movement for the Liberation of Angola), the FNLA (National Front for the Liberation of Angola), and the UNITA (National Unity for Total Independence of Angola). With the rising tide of liberation movements and after the change of regime in Portugal, the OAU and African statesmen sought to bring about reconciliation among these three liberation movements. When Portugal decided to end its domination over the country, the Government of India immediately recognised the Independence of Angola and welcomed the determination of the people of Angola to preserve the territorial integrity of their country. The Government of India also condemned categorically the unlawful violation of Angolan territorial integrity by the racist regime in South Africa.

As the House is aware, an extraordinary meeting of the OAU at the Summit level was held in January 1976 to discuss the problem of Angola. Even after several days of intensive discussions, the member States of the OAU remained evenly divided between countries which supported the recognition of the Government of MPLA and others who wanted a cease-fire and reconciliation among the recognised Liberation Movements. Since then three more African countries—Ethopia, Sierra Leone and Togo—have acorded recognition to the Government of MPLA based in Luanda, representing a clear majority of the 46 member States of the OAU. The MPLA Govreserve alone seems committed to preserve Angola's integrity and independence and fight the South African armed intrusion.

In the totality of these circumstances, the Government of India have decided to accord recognition to the MPLA Government led by its distinguished President and freedom fighter Dr. Agostinho Neto. Our Prime Minister has today sent a message of greetings and felicitations to President Neto pledging our continuing cooperation in the common tasks of consolidating the long standing friendship between the Governments and people of Africa and India and in the continuing struggle for a just and peaceful world order. We have great admiration for the heroic liberation struggle waged by the people of Angola against Portuguese colonialism and rejoice in the independence of Angola. We are confident that in keeping with its declared policy the MPLA Government will join to strengthen the fraternity of Non-Aligned nations and help to build a world based on equality and cooperation among nations.

I am sure the House will join me in the hope that bloodshed and strife in Angola will soon come to an end so that the Government and people of Angola can address themselves unhindered to the ask of national reconstruction at home, fighting racism and minority regimes in Africa and contributing to resolve the many international problems confronting the community of nations.

SHRI S. M. BANERJEE (Kanpur): All of us who are on this side wish to congratulate the Prime Minister on this bold step that she has taken.

11.07 hrs.

HIGH COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL, 1975

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I beg to move for leave to withdraw a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

MR. SPEAKER: The question is:

"That leave be granted to withdraw a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954."

The motion was adopted.

SHRI H. R. GOKHALE: Sir, I withdraw the Bill.

SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL, 1975.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I beg to move for leave to withdraw a Bill further to amend the Supreme Court judges (Conditions of Service) Act, 1958.

MR. SPEAKER: The question is:

"That leave be granted to withdraw a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958."

The motion was adopted.

SHRI H. R. GOKHALE: Sir, I withdraw the Bill.

11.09 hrs.

HIGH COUR JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL* 1976

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I beg to move for leave to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954."

Mr. S. M. Banerjee.

SHRI S. M. BANERJEE (Kanpur): My opposition to this Bill is not with a view to undermining the position of the High Court or Supreme Court judges. I have got the greatest regards for them and I want that their service conditions should be improved because that should attract the talented persons in the Bar and we may have good judges in our country. My main objection is this. At a time when every one in this country, including the Central Government employees and workers, has been asked not to demand any more benefits, higher wages or higher bonus, these judges are being given conveyance allowance at the rate of Rs. 300/- per month and a sumptuary allowance at the rate of Rs. 300 to Rs. 500 per month; in addition to these, pension is also going to be raised and after retirement, they will be given medical facilities like Class I government officers. I am not against these things. I am only against discrimination. When, in this House, I raised the question of poor pensioners who are languishing in pain and who wanted four instalments of dearness allowances to be given to them because they were getting a pension of Rs. 30 or 40 or 50 per month and they were unable to live on that, and when I also demanded that the Central Government employees should be paid the sixth instalment of dearness

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 6-2-76.

allowance, my hon. friend and respected sister, Shrimati Sushila Rohtagi told me that they would have to take a decision taking into account the overall economic picture of the country. When it is a question of poor pensioners or Central Government employees, the overall economic picture of the country is shown to us, but immediately after a few days, the High Court judges and Supreme Court judges are given these allowances and facilities.

MR. SPEAKER: Do not go into the merits at this stage.

SHRI S. M. BANERJEE: I am not going into the merits. My objection is mainly against discrimination. In our Constitution it is said that there should be no discrimination between one employee and another employee, between one person and another person, between one citizen and another citizen, whether it is Supreme Court judge or a poor pensioner. I wanted to utilise this opportunity to highlight the problem and appeal to the Minister that, while these facilities should be granted to the High Court and Supreme Court judges, the cause of the poor pensioners and of the Central Government employees should also be considered sympathetically.

SHRI H. R. GOKHALE: The hon. Member has not really opposed this Bill. Ever since the Constitution came, there has been no increase, whatsoever, in the emoluments of the Supreme Court and High Court judges. This is the first time that some marginal benefits are being proposed.

SHRI S. M. BANERJEE: You may convey my feelings to the Finance Ministry.

SHRI H. R. GOKHALE: Since the hon. Member has spoken in the House, it will be conveyed.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954."

The motion was adopted.

SHRI H. R. GOKHALE: Sir, I introduce† the Bill.

11.14 hrs.

SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL,* 1976

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Sir, I beg to move for leave to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958."

The motion was adopted.

SHRI H. R. GOKHALE : Sir, I introduce† the Bill.

HIGH COURT AT NATNA (ESTABLISHMENT OF A PERMANENT BENCH AT RANCHI) BILL*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Sir, I beg to move for leave to introduce a Bill to provide for the establisment of a permanent bench of the High Court at Patna at Ranchi.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a permanent bench of the High Court at Patna at Ranchi."

The motion was adopted.

SHRI H. GOKHALE: Sir, I introduce the Bill.

*Published in Gazette of India Extraordinary Part II, Section 2, dated 6th February, 1976.

†Inetroduced with the recommenda tion of the President.

11.15 hrs.

MATTER UNDER RULE 377

GRANT OF ADDITIONAL DEARNESS ALLOWANCE TO CENTRAL GOVERNMENT EMPLOYEES AND PENSIONERS

MR. SPEAKER: Shri S. M. Banerjee to raise a matter under Rule 377—He has already raised it.

SHRI S. M. BANERJEE (Kanpur): Let the Finance Minister reply. I raised it as an objection then. Now I am raising it under Rule 377.

MR. SPEAKER: Briefly.

SHRI S. M. BANERJEE: I am really indebted to you for giving me a chance to raise two most important issues under 377. This should be regarded as a maiden 377 because this is the first in this session. I raised the same issue when objecting to the High Court Judges (Conditions of Service) Amendment Bill.

Today is the last day of the session and we are not going to meet before the Budget. So I would invite your kind attention and the attention of the hon. Deputy Minister of Finance, who is here, again to the most burning problem of the Central Government employees, about sixth instalment of DA. It has not yet been paid I am not talking of the seventh and eighth instalments because the price has not gone up, but the sixth instalment was agreed to be paid by the Government, by the Finance Minister, at the meeting of JCM. They said they would pay; they did not deny it. So the sixth instalment should be paid.

The second point is that a final decision should be taken without further delay regarding payment of DA to the pensioners. Their conditions excite horror rather than pity.

I would also make another request. A solemn promise was made by the then Health Minister, Shri Karmarkar, and later on also, that the benefits of the CGHS will be extended to the pensioners. After retirement, what should they do? Let him at least pay Rs. 2 or Rs. 3. They should be given some medical benefit.

I am raising these points with your permission and I would request the Deputy Finance Minister to give a reply.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): Both these points were raised during the course of the discussion on the Supplementary Demands sometime back. I think they were raised not only by Shri Banerjee but by various other hon. members also. At that time, I had said that both these matters are under Government's consideration.

We are also aware of the plight and difficulties of the pensioners. At the same time, when he mentioned that we have to take the economic condition of the country into consideration, that is only natural. After all, it is not only the amount involved, but the availability of the resources, how these are going to be given to them, all these matters have naturally to be taken into consideration. That is where the overall resource mobilisation and the economic outlook comes into the picture. But I would certainly like to say that both these points, about the Central Government employees and the pensioners, are under Government's consideration.

SHRI S. M. BANERJEE: Thank you.

MR. SPEAKER: Shri Shahnawaz Khan

SHRI ERASMO de SEQUEIRA (Marmagoa): Will a decision be taken within the next thirty days?

SHRI DINEN BHATTACHARYA (Serampore): Shri Raghu Ramaiah knows that I made some representations to him in his weekly meeting The Forms department under his Ministry in Calcutta is now being decentralised causing serious alarm to hundreds of employees. As per his advice, I sent in a short notice question. But that has not been admitted. Today is the last day of this session. He should give a reply to this.

Another thing. Only yesterday we discussed about layoff, closure and so on. Here is a telegram from a jute mill. The question was put by some MPs here. The telegram says:

> "Large retrenchment threats layoff closure deployment armed police within Kamarhati Jute Mill Intervention sought...."

We have received this from our friends in the Kamarhati Mills. It is near Calcutta. I do not know who will be responsible for it. Tomorrow you will not be here ; I will also not be here. We do not know where we can contact the Minister. What is the protection to these workers who are being threatened with layoff? The police are going inside the factory. May I request you to at least convey my feelings to the concerned Minister?

SHRI SAMAR MUKHERJEE (Howrah): Shri B. N. Reddy wanted to raise a matter. I have also one point to raise.

Yesterday I got a telegram to the effect that 50 employees of the Raut Bhatta Atomic Energy Commission have been dismissed. The case is going on in the Labour department. This is absolutely illegal. Previously I had drawn the attention of Shri K. C. Pant, he said he would talk to Dr. Sethna. But no remedy is there. I want that the matter should be looked into.

SHRI B. N. REDDY (Niryalguda): The agricultural prices have fallen to half the normal price in our State and therefore there is a grave crisis in Andhra Pradesh. The peasantry are undergoing a lot of hardship. I request the Government to intervene and maintain a reasonable price, a remunerative price for the peasantry and a fair price for the consumer.

Of late political murders are taking place and particularly some persons on behalf of the ruling party are encouraging this type of murder. They have been brought to the notice of the Central Government and the Home Ministry. I request the Government to advise the State Government. MISA is misused and applied particularly against CPM members. I request the Government to withdraw all the warrants and release all the leaders.

श्री सरजू पांडे (गाजीपुर) : अध्यक्ष जी, मुझे पता चला है कि उत्तर प्रदेश में जो गन्ने का दाम तय किया गया है 12.25 पैसे, उसे कम से कम 18 रु० से कम नहीं होना चाहिये, मुझे पता चला है कि यहां के एक वरिष्ठ मंत्री ने जो कैबिनेट रैंक के हैं, मुख्य मंत्री पर दबाव डाला है कि आप इससे ज्यादा गन्ने का दाम तय नहीं कीजियेगा। इसलिये मैं केन्द्रीय सरकार का इंटरवेंशन चाहता हूं। उत्तर प्रदेश में आलू का भाव भी काफ़ी गिर गया है, कोई खरीदने वाला नहीं है, और अगर गन्ना 12 रु० 12.25 पैसे के भाव बिकेगा तो सूखी लकड़ी और गन्ने में कोई फर्क मैं नहीं होगा। तो मैं जानना चाहता हूं कि क्या केन्द्र के किसी वरिष्ठ मंत्री ने उत्तर प्रदेश के मुख्य मंत्री पर दबाव डाल कर गन्ने का भाव तय कराया है ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) : नहीं, किसी ने नहीं कराया।

श्री राजेन्द्र प्रसाद यादव (मधेपुरा) : अध्यक्ष जी, कल शुगर केन प्राइस पर जो डिस्कशन चल रहा था उस दर्मियान श्री रामावतार शास्त्री ने बताया कि बिहार सरकार ने गन्ने का दाम 12.50 पैसे तय किया है। इस के बाद दूसरी बात उन्होंने यह बतायी कि साउथ बिहार शुगर मिल में, जो आप के क्षेत्र में है, उन्होंने कहा कि वहां 13 रु० गन्ने की कीमत दी जा रही थी, लेकिन चूंकि उस मिल के मालिक मुख्य मंत्री के संबंधी हैं इस लिये उन के दबाव पर गन्ने का दाम कम देने के लिये बाध्य किया जा रहा है। तो मैं जवाब देही के साथ इस बात को रिफ्यूट करना चाहता हूं कि मिल मालिक का मुख्य मंत्री से कोई सम्बन्ध नही है। यदि ऐसी बात है, जैसा उन्होंने कहा है कि कम दाम किसानों को दिया जा रहा है, तो हम भी चाहते हैं कि किसानों को ज्यादा दाम मिले लेकिन इस तरह की निराधार बात सदन में नहीं कही जानी चाहिये।

श्री रामावतार शास्त्री (पटना) : उस का आधार है।

श्री कमला मिश्र "मधुकर" (केसरिया): अध्यक्ष जी, 3 तारीख के बिहार के तमाम अखबारों में निकला है कि मोतीपुर, बारह चकिया, मोतिहारी, सुगौली, मझोलिया, चम्पारन और मुजफ्फरपुर की जितनी मिलें है उन मिलों के मालिकों पर करोड़ों रु० किसानों का बकाया है जिस के चलते इस साल गन्ने की खेती कम होने जा रही है। तो सरकार कोई ऐसी कार्यवाही करने जा रही है जिस के जरिये किसानों के बकाया का भुगतान हो सके और गन्ने की खेती पर बुरा असर नहीं पड़ सके। इस बात की ओर मैं सरकार का ध्यान दिलाना चाहता हूं और जानना चाहूंगा कि सरकार क्या कार्यवाही करने जा रही है उन मिल मालिकों के खिलाफ़ किसानों के बकाया का भुगतान कब तक होने जा रहा है, इस बारे में आप कौन सी कार्यवाही करने जा रहे हैं, यह मैं जानना चाहता हूं।

श्री रामावतार शास्त्री : अध्यक्ष जी, आप जानते हैं कि पटना जिले के फुलवारी थाने में एक मौलाना बुद्दू चक नामक गांव है वहां के हरिजनों पर और एक घर जो मुसलमान का है उस पर वहां के भूमिपतियों ने हमला किया 25 जनवरी को और दिन दहाड़े एक हरिजन की, जो पी०डब्लू०डी० में काम करते थे, हत्या कर दी गई। मैं स्वयं 1 फ़रवरी को उस गांव में गया था और मैंने देखा कि किस तरह से उन की निर्मम हत्या की गई। मैं ने खून के धब्बे और तमाम बातें देखीं। लेकिन ताज्जुब की बात है कि जिन लोगों ने हरिजनों की हत्या की, बिल्कुल फ़ौज की तरह आ कर के, उन को जमानत पर छोड़ दिया गया और वे छुट्टा घूम रहे है। हरिजनों को काम नहीं करने देते, वह बेचारे डर के मारे निकलते नहीं हैं। इस की खबर सरकार को है लेकिन कोई कार्यवाही नही की जा रही है। तो मैं चाहूंगा कि जो लोग इस हत्याकाण्ड से संबंधित हैं, जिन्हें गिरफ्तार किया गया था और जो जमानत पर है, उन्हें एम०आइ०एस०ए० के अन्दर गिरफ्तार कर के जेल में रखा जाय। ये तमाम लोग जयप्रकाश नारायण के आन्दोलन के समर्थक थे और एक जो वहां का नेता था वह आर०एस०एस० का बड़ा लीडर है जिस ने वहां संगठन बनाया है और आज भी वहां उन को ड्रिल होती है। तो मैं चाहूंगा कि सरकार फ़ौरन कार्यवाही करे और उन को एम०आइ०एस०ए० के अधीन गिरफ्तार करे।

MR. SPEAKER: I would like to inform the House that in this session I have received a number of complaints about the atrocities committed on the Harijans. Now, I have not allowed a discussion on this point because every day we cannot take the time of the

House. But I have referred all these complaints to the Committee on the Welfare of the Scheduled Castes & Scheduled Tribes to enquire into the matter and, if necessary, the Parliamentary Committee will submit a report to the House. (*Interruptions*).

11.25 hrs.

DISCUSSION *RE*. PRICE OF SUGARCANE

MR. SPEAKER: We shall now take up further discussion on the sugarcane price. Shri Shahnawaz Khan.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): Sir, I am very grateful to the large number of the Hon. Members who have taken part in this debate. Sir, I can well imagine the concern of the hon. Members in ensuring the welfare of their constituents and the farmers. It has been rightly emphasised by all the Members who spoke on the subject that the farmers must get a fair and remunerative price for their produce. Sir, that is precisely the intention of our Government. Over 80 per cent of the population of our country lives in the villages and are engaged in farming. Therefore, the welfare of such a large number of population, that is about 80 per cent of our population—approximately 70 per cent are farming class and about 10 per cent are agricultural labourers living in the country-side—are living in the villages and subsisting on farming, is the primary concern of the Government of India. The Government is fully conscious of the efforts that will have to be made and the Government fully supports the efforts of the farmers to make the country self-sufficient in food. Shri Pande, Shri Genda Singh and Shri Vikal and other hon. Members who are the true representatives of the farmers and who are the custodians for watching the interests and welfare of the farmers have spoken in very emphatic and very strong terms. The Government is aware of the fact that the efforts of the Government are to provide them with the necessary inputs like irrigation facilities, loans from the banking institutions, etc. As a result of joint efforts of the Government and the farmers the country is now passing through rather a comfortable period in the matter of production. Luckily we had a good rabi crop followed by a good kharif crop. The prospects of the coming rabi crop are equally good. I would like to take this opportunity to congratulate our farmers on making the country self-sufficient in food. In fact, as a number of hon. members have pointed out, the main concern of the government how is to ensure that when the farmers produce more, the prices should not fall to such an extent that they become unremunerative. This is a very valid point to which the government is directing its full attention. It is with a view to ensuring this that the government has fixed the minimum support price to ensure that the prices of foodgrains and other articles would not be allowed to fall below a certain level. This minimum support price policy is being fully implemented by the government. The Food Corporation is on the alert and if in any area the prices of foodgrains—wheat, paddy or coarse grains—fall below a certain level, the government comes in with support measures.

I am aware of the difficulties of the farmers about potatoes and the government is doing whatever it can to help the farmers. The point at issue today is the sugarcane. Sugarcane and sugar play a very important role in the economic life of our country. Here again, I would like to congratulate the farmers, the industry and the workers for working unitedly to increase sugar production in the country. I would give some figures. In 1971-72, sugar production was 31.13 lakh tonnes. In 1974-75 it shot up to approximately 48 lakh tonnes. I would also take the House into confidence about our exports. The exports have also been going up and we had placed at the disposal of the STC about 13 lakh tonnes for export, which is nearly two

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and a half times the quantity of the previous year. That is a tremendous effort. A sizeable quantity has already been exported and more would be exported. Out of this, the country has earned a foreign exchange of approximately Rs. 450 crores. That is a very laudable effort.

AN HON. MEMBER: What is production this year?

SHRI SHAHNAWAZ KHAN: We are hoping it will be slightly more or at least equivalent to what it was last year. As in the case of other foodgrains, the government fixes the minimum support price of sugarcane. The factors taken into consideration are: The first is actual cost of production. Second is the return to growers from alternative crop. If the grower does not grow sugarcane and supposing, he grows alternative crop, what would be his income that he would derive from that alternative crop, is taken into consideration. *(Interruptions)*.

SHRI HARI KISHORE SINGH (Pupri): The hon. Minister is trying to mislead the House. We want to know on what basis the statutory minimum price is fixed. But he says that the cost of production is taken into consideration. I would like to know, what is the actual cost of production of sugarcane per quintal?

SHRI NARSINGH NARAIN PANDEY (Gorakhpur) : What is the break-up?

SHRI SHAHNAWAZ KHAN: There are a large number of Members here who are farmers themselves. I also happen to be a farmer myself. The cost of cultivation of sugarcane varies from area to area depending on the nature of the soil, the irrigation facilities available. It varies according to areas and different factors. *(Interruptions)*

SHRI HARI KISHORE SINGH: The Government has divided the country into different zones. What is the cost of production in eastern UP and Bihar and southern States?

MR. SPEAKER: Let him complete. If there is any question, you can ask him later. Don't confuse him like this.

श्री कमला मिश्र "मधुकर" (केसरिया) मंत्री महोदय ने अभी यह बताया था कि राज्य सरकारों से राय लेते हैं। मैं जानना चाहूंगा कि क्या आपने बिहार गवर्नमेंट से भी पूछा है और अगर पूछा है तो बिहार गवर्नमेंट ने कैन-ग्रोअर्स को कितनी प्राइस देने की रिकमेंडेशन की है।

SHRI SHAHNAWAZ KHAN: While we fix the cane price, we consult all the State Governments of main sugar producing areas. Those State Governments are asked to take into consideration the actual cost of cultivation by the farmers and they make recommendations to us. *(Interruptions)*

MR. SPEAKER: If you are shooting questions like this, he would not be able to finish. Let him complete it, and if there is any clarification needed, he will give it later.

SHRI D. N. TIWARY (Gopalganj): The main question is the price of sugarcane and a notice on this was given long back. If there is no formula on the basis of which the price was fixed, then what is this debate debate about? *(Interruptions)*

MR. SPEAKER: Now listen to the Minister, please.

SHRI K. SURYANARAYANA (Eluru): Yesterday also, the Minister and the Government of India were very

sympathetic to the agriculturists. All the Members are making a request to the Government. The fixation of prices in various zones is bureaucratic and is calculated to mislead the Government. If necessary, the reply may be postponed; and the Minister may give it in the afternoon to-day. He can give all the figures at that time.

MR. SPEAKER: I know that the hon. Members are very much agitated. But there has been a debate. The Minister is replying now. You are not allowing him to reply.

SHRI BHAGWAT JHA AZAD (Bhagalpur): We will not question him on every sentence. Just one information we want to have. How does the Government fix the price? What is the cost-price with the Government, per quintal of cane? Only if he gives this basic fact, should he proceed. If he cannot give this basic fact to the House, what is the use of hearing the Minister whose every assumption is questionable, doubtful and a fraud upon the farmers of India?

SHRI SHAHNAWAZ KHAN: I am aware of the feelings that are running so high on this issue; but I would request the hon. Members to listen to me first and then, at the end of it, if there is anything that they would like to know further, I would be happy to explain to them. All that I was explaining was that the Government fixes the minimum support or the minimum statutory price. And that is done by inviting the opinion—the recommendation of the Agricultural Prices Commission. The Agricultural Prices Commission consists of economists and other people who know.... (*Interruptions*). They take all the factors into consideration, by consulting the agricultural universities, state governments and associations of growers. They invite their recommendations and they take all that into consideration while coming to a decision. Based on them, the Agricultural Prices Commission makes a recommendation to the Government. Over and above that. the Central Government consults the state governments. (*Interruptions*). The Association will also write to all the farmers, to find out what their opinions are. Based on that, we fix the minimum statutory price. But that does not mean that the farmer gets only the minimum statutory price. For instance, last year the minimum statutory price recommended by the Agricultural Prices Commission was Rs. 8.5 per quintal, related to the recovery of 8.5. If the recovery is more, he gets more. In spite of this minimum price, last year the grower in Western UP got Rs. 14.50, which means Rs. 6 more. So, it is not correct to say that the minimum statutory price binds down the State Government. The question of supply and purchase of sugarcane is a matter between the grower and the purchaser, the factory-owner. It is they who have to decide the actual price to be paid. The State Government intervenes in some cases. They lend their support and try to settle this issue of the minimum price that has to be paid to the grower by negotiations with the mills. This is the method that has been followed. By and large, I think the farmers have been getting a fair price.

Members have spoken about the Bhargava formula. The Report of the Bhargava Commission was laid on the Table of the House. The Bhargava formula recommended that, after having paid the minimum statutory price to the grower, the excess realisation should be shared on 50:50 basis. My hon. friends, Shri Pandey, Shri Genda Singh and Shri Vikal were present when the Governor of UP had discussions with the representatives of growers and Industry in order to solve this issue. The representatives of the industry state: "if the growers feel that we are manipulating the figures, or altering or falsifying the accounts, we are prepared to give 50 per cent of our free sugar in kind to the representatives of the growers, let them sell it and distribute the profits." They were prepared to go to that extent. My Ministry is also prepared to sit with

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the hon. Members who are interested in this matter and find out how this Bhargava formula is to be implemented, if they want this formula to be followed.

श्री गेंदा सिंह (पदरौना) : अध्यक्ष महोदय, मैं टोका-टाकी वाला नहीं हूं, मेरी बात सुन लीजिये। क्या वजह है कि बिहार और उत्तर प्रदेश, जो मंत्री जी का क्षेत्र है, वह सारा झगड़ा कर रहा है ?

वहां पिछले साल साढ़े 10 परसेंट रिकवरी ली गई। प्राइवेट सैक्टर के सभी मिलों ने कहा कि हम 11 रुपये से ज्यादा कीमत नहीं देंगे। आपके कहने और प्रधान मंत्री जी के इंटरवैंशन से कीमत 12 और 13 रुपये हुई है। मैं मंत्री जी से कहना चाहता हूं कि वह को-आपरेटिव पर जरा कम निगाह रखें। किसान वहां पर खुद अपना प्रबन्ध कर रहा है। मैंने कल यहां कहा था कि को-आपरेटिव मिलों ने 19 रुपये क्विटल तक दाम दिया है। आज उत्तर प्रदेश, बिहार और हिन्दुस्तान में प्राइवेट मिलों का जो नक्शा है, उन्होंने किसान की हत्या की है, और अभी भी वे हत्या करना चाहते हैं। आप उनके बारे में क्या उपाय कर रहे हैं कि उनको पूरा दाम मिले ? को-आपरेटिव मिलों की बात आप छोड़ दीजिये।

SHRI SHAHNAWAZ KHAN: As I was saying, by mutual negotiations and through the good offices of the State Governments, the mill owners and the growers agreed to some price being paid, over and above the statutory minimum price. The Bhargava Formula has laid down certain methods by which the excess realisation can be shared between the growers and the industry. As I said, we shall be happy to sit with the hon. Members to find out how this excess realisation can be shared.

At present, the policy that we are following and the policy which came in for quite a fairly strong criticism yesterday was the policy of partial control. On the one hand, the Government has the responsibility of supplying sugarcane to the consumer at a reasonable price, and the reasonable price, at present, which has been agreed to, is Rs. 2.15 per kg. in retail. The Government's policy on the one hand it to supply sugarcane to the consumer at a reasonable price. On the other hand, it is the desire and the responsibility of the Government to ensure that the farmers also get a fair and remunerative price. How are these to be balanced? On the one side, it is our concern to ensure that the consumer gets it at a reasonable price. On the other hand, the farmers should also get a remunerative price. These two have to be equally balanced.

SHRI D. D. DESAI (Kaira): Let him agree to a date on which he can hold a meeting to settle the cane price.

MR. SPEAKER: In a day or two, he can hold a meeting.

SHRI K. SURYANARAYANA: Mr. Speaker, several times, we have discussed it with the Minister, but nothing has come out.

MR. SPEAKER: He has offered to hold a meeting.

SHRI K. SURYANARAYANA: He is generally sympathetic, but there should be some concrete proposals.

MR. SPEAKER: Let him hear patiently. *You can discuss with him.*

SHRI D. D. DESAI: There are so many mills which are on the verge of liquidation and time is the essence of the whole matter. If he gives a dilatory explanation and no specific date, I think, it is not fair to the sugarcane growers.

SHRI SHAHNAWAZ KHAN: The concern of the Government is to con-

tain inflationary trends. We have been trying very hard to ensure that the inflationary trends in the country are controlled, and it is with a view to that that the Government did not accept the recommendations of the Agricultural Prices Commission for increasing the minimum statutory price from 8.5 to 9.5. Because, if that was done, the price of levy sugar would have to be increased. That, in turn, would set in motion inflationary trends.

SHRI NARSINGH NARAIN PANDEY: This is incorrect; it has no relevance.

SHRI SHAHNAWAZ KHAN: The hon. Members are aware that today India is perhaps the only country in the world which has successfully controlled the inflationary trends as far as the foodgrains are concerned....

SHRI K. SURYANARAYANA: With the help of the innocent farmers.

SHRI SHAHNAWAZ KHAN: I am prepared to give credit to the farmers....

SHRI BHAGWAT JHA AZAD: By robbing the farmers and paying the sugar magnates.

SHRI SHAHNAWAZ KHAN: It is the patriotic farmer of this country who by working hard has produced enough foodgrains and has helped the Government in controlling the inflationary trends. I would like the hon. Members to look back and see what were the prices of foodgrains and edible oils last year. Through the efforts of the Government and the growers these inflationary trends have been controlled to some extent on the food front. I do not say that inflationary trends in all spheres have been checked. But it is the Government's endeavour to do that. What concerns the largest number of persons in this country is the food. We are very keen to control the prices of foodgrains.

I think, all the hon. Members will agree with me that through the combined efforts of the growers, the inflationary trends in foodgrains have been reversed. It is our endeavour to continue to do that. I entirely agree with my hon. friends when they say, whatever the farmer buys, the prices of those articles are going up.

SHRI NARSINGH NARAIN PANDEY: The prices of inputs also.

SHRI SHAHNAWAZ KHAN: This is quite true. The prices of inputs, machinery and other articles, irrigation charges, all these things, are going up. On the other hand, whatever the farmer produces, the prices of all those things are going down. But the real remedy lies not in increasing the inflationary trends but to bring down the prices of other articles also.

As the hon. Members are aware, the prices of fertilisers, have increased. Since the increase in prices of oil by oil producing countries, the prices have increased three times. Urea is manufactured from naphtha which is a petroleum product. So, when the prices of petroleum products shot up by three times, it was inevitable that the prices of urea would also increase. The price of urea increased in the international market from Rs. 1000 to Rs. 3000. By a system of pooling the indigenous urea and the imported urea the Government was able to supply fertilisers to the farmers at the rate of Rs. 2000. It has been further reduced by Rs. 150.

The Government is doing everything that is possible to increase the production of fertilisers. W have got about 15 factories which are under expansion or new factories are coming up for production of fertilisers. The House would be happy to know that we have got three fertilizer plants

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now which are based on coal, so that we do not depend on oil for producing urea. The coal-based plant at Talcher will have an annual production of 2,28,000 tons per year and it should go into production early next year. That would be very happy news for the country because that wou'd be the first coal-based plant of a sizable size that would be going into production. Similarly, the Ramagundem plant would be coming up soon. The Government's effort is to reduce the prices. The Government is doing everything possible to reduce the prices and I entirely agree with the Hon. Members that Government should do everything possible to bring down the prices of those articles which are utilised by the farmer.

12 hrs.

SHRI NARSINGH NARAIN PANDEY: The whole speech of the Hon. Minister is marked with one idea that the Government is endeavouring to see that the input prices come down so that we can contain the inflationary trends. I would only like to know from the Minister what happened that last year while Rs. 14.50 or Rs. 15 cane price was paid to the farmers, this year the same conditions are there; the prices are the same and the input prices are the same. The Agricultural Commission had recommended that the price shou'd be enhanced by Re. 1 but, this year, instead of enhancing the price by Re. 1 only Rs. 12.25 or Rs. 13.25 is being paid to the cane growers. What is the logic behind this? I would like to know this from the Minister.

SHRI SHAHNAWAZ KHAN: The logic behind is that the price of sugarcane should also be considered in relation to the price of an alternative crop that can be grown.

SHRI NARSINGH NARAIN PANDEY: Your Commission had said that it should be enhanced by Re. 1. What is the alternative crop?

SHRI SHAHNAWAZ KHAN: An alternative to sugarcane is wheat and paddy. (*Interruptions*).

MR. SPEAKER: I think you should not take up more time in this House. I think you can invite all of them tomorrow, meet them and discuss with them.

(*Interruptions*)

MR. SPEAKER: No more questions now. Please continue. (*Interruptions*).

The Minister is still replying. He has not finished; let him complete his reply.

SHRI SHAHNAWAZ KHAN: Then, a number of Hon. Members have spoken about the high prices that are being paid by the cooperative factories. I agree that the cooperative factories are paying higher prices to the growers, but I would also like to point out—and the House is fully aware of it—that in the cooperative field of 70 per cent of the equity capital comes from the State Government, as share capital. But all the profits of the cooperative mills are passed on to the growers in the form of sugarcane price. Hardly anything is shown as dividend or profits. Thus, the Government is deprived of income-tax. The State Government, which invests 70 per cent of the equity capital, does not get anything on the share capital because no dividends are declared... (*Interruptions.*)

MR. SPEAKER: Order, please.

SHRI SHAHNAWAZ KHAN: I invite the hon. Members to discuss this question with me in depth when we meet—the question of cooperative

factories, the amounts that are invested in the cooperative mills by the Government and the income-tax which the Government gets. I will be happy to discuss this point with the hon. Members.

Now, I come to the question of cane arrears. I admit that there were arrears of cane....

श्री नरसिंह नारायण पांडेय : अभी तक कितना हुआ है ? अब की साल और पिछले साल का अब बता दीजिए ।

श्री शाहनवाज खां : पिछले साल का करीब 12 करोड़ है . . .

श्री नरसिंह नारायण पांडेय : वह तो दिसम्बर का है, जनवरी का बताइए ।

श्री शाहनवाज खां : मैं पिछले साल सितम्बर तक का बताता हूं ।

श्री नरसिंह नारायण पांडेय : सब मिला कर बताइए ।

श्री शाहनवाज खां : पिछले साल का और इस में पिछले साल का मिला कर लगभग 11 करोड़ रुपया बाकी है उत्तर प्रदेश में ।

श्री नरसिंह नारायण पांडेय : पूरे देश का बताइए ।

श्री शाहनवाज खां : देश में लगभग 70 प्रतिशत तक उत्तर प्रदेश का है ।

श्री नरसिंह नारायण पांडेय : क्या करने जा रहे हैं ? किसी को बन्द किया है ?

श्री शाहनवाज खां : हां किया है ।

The State Governments have powers to realise the arrears of sugarcane as land revenue, and the State Governments have been asked to take very stringent measures to ensure that the arrears of cane payment are made to the farmers. Also, if any payment is delayed beyond a fortnight, then twelve per cent interest will also have to be paid on that delayed payment.

SHRI NARSINGH NARAIN PANDEY: What happened to the last year's cane arrears? How are they being realised? Have the State Govrnemnts and the Minister of Food & Agriculture considered these? How many factory-owners have been put behind the bars? The Minister has said that Government have issued instructions to State Governments for recovery and realisation as land revenue. What action has been taken?

SHRI SHAHNAWAZ KHAN: As I have said the State Governments have been asked to take strong measures, and we will continue to request the State Governments to ensure that the cane prices are paid to the farmers In many cases where the owners of factories have delayed payments, the State Governments have taken over the management of those sugar mills. As the hon. Members know, in U.P. also, a large number of sugar mills have been taken over by the State Government because of mismanagement. We will be vigilant and we will ensure that, if any person does not behave, his factory is taken over by Government.

श्री विभूति मिश्र (मोतीहारी) : किसानों को गन्ने की कीमत उसकी रिकवरी के ऊपर मिलती है और रिकवरी की जांच करने वाला प्राइवेट सैक्टर का कैमिस्ट होता है । मैं जानना चाहता हूं कि क्या सरकार कैमिस्ट की पोस्ट का नेशनलाइज़ेशन करने जा रही है, क्या इसके बारे में सोच रही है ताकि ठीक ठीक पता चल सके कि क्या रिकवरी हुई है ?

[श्री विभूति मिश्र] :

मैं यह भी जानना चाहता हूं कि बिहार में एरियर कितने हैं और किस तरह से सरकार उनको दिलवाएगी ?

श्री नागेन्द्र प्रसाद यादव (सीतामढ़ी) : दो साल पहले यूरिया की कीमत 55 रुपये थी और आज 105 हो गई है। इतनी कीमत फिक्स इसकी बढ़ जाने के बावजूद भी क्या गन्ने की कीमत इसी तरह से रखी जाएगी—

अध्यक्ष महोदय : यूरिया के बारे में प्रश्न नहीं किया जा सकता है।

श्री कमला मिश्र "मधुकर" : आप कहते हैं कि केन प्राइस तय करने की जो बात है यह मिल मालिकों और किसानों के बीच का मामला है। मैं जानना चाहता हू कि क्या सरकार किसान सभाओं, किसानों के संगठनों, केन ग्रोवर्स के संगठनों को यह अधिकार देने जा रही है कि मिलों में वे हड़ताल करा दें और इस तरह से मिल मालिकों को भूखे मार कर किसानों की मांगों को पूरा करने पर मजबूर करें ? अगर ऐसी बात नहीं है तो क्यों सरकार बीच में नहीं आती है और खुद इस मामले को तय करती है ?

श्री ई० वी० विखे पाटिल (कोपरगांव) : एक महीना पहले अखबारों में छपा था कि गवर्नमेंट आफ इंडिया ने स्टेट गवर्नमेंट्स को सलाह दी है कि केन की कीमत पिछले साल से कम रखी जाए। मैं जानना चाहता हूं कि क्या यह सही है या नहीं ? मैं यह भी जानना चाहता हूं कि क्या मिनिमम प्राइस से ज्यादा दाम किसानों को देना सरकार पसन्द करती है या नहीं करती है ? यदि करती है तो कितना ज्यादा देना करती है ? फ्री सेल शूगर के बारे में संतोष कमिशन ने कुछ सिफारिशें की थीं। श्री सुब्रह्मण्यम ने तब एक बयान दिया था कि कम से कम पचास परसेंट उस में से किसानों को मिले, इसको हम देखेंगे। मैं जानना चाहता हूं कि क्या इस पर देखा गया है, विचार किया गया है या नहीं ?

SHRI BHAGWAT JHA AZAD: I want to know, on what reasoning, logic and statistics, the Minister has kept patriotism for the farmers and profit for the sugar magnates.

SHRI K. NARAYANA RAO (Bobilli): The hon. Minister has not touched upon one important point which was raised by many hon. Members yesterday. The price for levy sugar has been fixed differently in different areas, for example in Andhra Pradesh, it is 180 and in some parts of Bihar, it is 440. What is the rationale for this?

MR SPEAKER: Please ask a question on cane price, not on levy sugar.

SHRI ANNASAHEB GOTKHINDE (Sangli): It seems, the hon. Minister is not in favour of encouraging the cooperative sugar mills. His grievance is that they are not paying taxes etc. When the principle of sharing 50 per cent excess realization was accepted by the Government, I want to know, whether the Government has been able to follow the same. The excess realisations that would accrue to the government from exports it was stated that the Government was not willing to share them with the factories. So they will accrue entirely to the Central Government. Is it not a profit or benefit given by the co-operative sugar factories to the Government?

श्री रामावतार शास्त्री (पटना) : मैं जानना चाहता हूं कि एक क्विंटल चीनी बनाने में कुल कितना खर्च आता है और उसमें से किसान की कीमत क्या है, मजदूर की मजदूरी कितनी है और सरकार का जो टैक्स है उसको काटने के बाद क्या डिफ्रेंस बचता है, अर्थात् सेठ को कितना मिलता है ? मैं चाहता हूं कि इसको आप बहुत सफाई के साथ बतायें ।

मैं यह भी जानना चाहता हूं कि क्या इसका खतरा तो नहीं है कि चीनी की आप और कीमत बढ़ा देंगे ?

श्री चन्द्र शैलानी : (हाथरस) : आज भी बाजार में चीनी का दाम पांच रुपये किलो ब्लैक में है । मंत्री महोदय ने अभी बताया है कि उत्तर प्रदेश मे चौदह करोड़ बाकी है । किसानों की दयनीय स्थिति को देखते हुए उनका पैसा उनको कब तक अदा कर दिया जायगा और जो मिल मालिक कसदन. जान बूझ कर किसानों को परेशान करेंगे उनके खिलाफ सरकार कौन से सख्त कदम उठाने जा रहीं है ?

SHRI NAWAL KISHORE SINHA (Muzaffarpur): It is well-known that despite all the measures that the government has taken for keeping the sugar industry alive, why sugar factories in UP and Bihar are facing liquidation. I would like to know what efforts the government propose to take to keep the sugar industry on an even keel and see that they are not liquidated in those areas?

श्री जगन्नाथ मिश्र (मधुबनी) : क्या आपको खबर है कि मिल मालिकों द्वारा किसानों को गन्ने के उचित दाम न देने के कारण उन्होंने मिलों को ही बन्द कर दिया है और इस तरह से हजारों आदमी बेकारी के कगार पर खड़े हो गए हैं, यदि हा तो इसके बारे में सरकार क्या कर रही है ?

श्री मुल्की राज सैनी (देहरादून) : मंत्री महोदय ने बताया है कि उत्तर प्रदेश में 14 करोड रुपया बकाया है । इस में लार्ड कृष्ण शुगर मिल सहारनपुर भी है । वहां किसानों का एक करोड रुपया बकाया था । 1970–71, 1971–72 और 1972–73 का 37 लाख बकाया है । इसकी सेंट्रल गवर्नमेंट कोई जिम्मेदारी नहीं लेती है । कहती है कि हाई कोर्ट में पड़ा हुआ है, हम क्या करें टेक ओवर करने के बाद पहले साल का दे दिया लेकिन दूसरे साल 58 लाख घाटा दिखाया गया । 1970 से अब तक का 1 करोड़ है, कब सरकार इसको दिलवाएगी ।

SHRI ERASMO DE SEQUEIRA (Marmagoa): As a preliminary remark, it appears clear that after this House has been extended, the entire House has turned against the Government.

My first question to the hon. Minister is: will the government as a policy distribute to the sugar canegrowers the entire profit that STC makes out of sugar exports.

(2) Will the Government immediately appoint a committee to evlove a standing formula based on inputs so that from month to month and from crop to crop prices can be fixed for cane and also profits for the millowners within reasonable limits?

[Shri Erasmo de Sequeira]

(3) Will the government consider as an immediate measure a reduction in excise duty so that the price of cane can be immediately raised?

SHRI HARI KISHORE SINGH: The hon. Minister has said that the government has given direction to the sugar mill-owners that if they do not pay the arrears within 15 days, then they will have to pay interest at 12 per cent. When the nationalised banks take interest upto 15 per cent from the cane-growers, why should the cane-growers suffer on account of the inefficiency or dishonesty of the mill-owners?

SHRI B. V. NAIK (Kanara): I hope, the hon. Minister is aware that alternatives to nationalisation were being explored by the Planning Commission Late Shri D. P. Dhar made a study to that effect because the cultivators, the sugar cane growers in this country can be immensely benefited by the co-operative sector. Will it be possible within a reasonable period of time to have co-operatives as an alternative to nationalisation of the private sector mills in this country? Has a thought been given to it? If so what is the view of the Government?

श्री काले (जालना) : मैं जानना चाहता हूं कि प्राईवेट फैक्टरी वाले जो हैं उनके अपने काम हैं जिनसे गन्ना लेकर वे चीनी का परसेंन्टेज कम बताते हैं ?

श्री नरसिंह नारायण पांडेय : श्रीमन्, एग्री कल्चरल प्राइस कमीशन ने जो अभी अपनी लेटस्ट रिपोर्ट दी है उसमें कहा गया है कि अगले साल और पिछले साल का जो प्रोडक्शन का ज्यादा हिस्सा होगा और जो एक्सपोर्ट किया जायेगा उसमें से हिस्सा चीनी मिल मालिको को ही दिया जायेंगा क्या मंत्री जी इस सुझाव को मानेंगे या केन ग्रोअर्स को भी एक्सपोर्ट में हिस्सा देने की कृपा करेंगे—यह बताने की कृपा करें।

श्री झारखंडे राय (घोसी) : क्या मंत्री जी बतायेंगे 6 साल पहले कांग्रेस की फूट के बाद जब बाम्बे मे कांग्रेस अधिवेशन हुआ था तो पं० कमलापति त्रिपाठी ने एक प्रस्ताव पेश किया था कि हम सारे देश की चीनी मिलों का राष्ट्रीयकरण करेंगे तो उस प्रस्ताव के अमल में लाये जाने मे अब तक सरकार को कौन-सी व्यावहारिक बाधायें हैं जिनकी वजह से यह काम नही हो सका—यह मैं जानना चाहता हूं।

SHRI SHAHNAWAZ KHAN. Regarding the recovery of sugarcane, it is true that there are chemists who determine the recovery in the factory. We also have super-imposed checks to find out whether the recovery that is worked out is correct We have also another check that the cane that goes out in the mills is fully weighed and every bag of sugar that comes out of the mill is also weighed.

SHRI BIBHUTI MISHRA: I want to know the type of check that has been imposed.

SHRI SHAHNAWAZ KHAN: I extend invitation to all to come and discuss with me.

We are working on a formula to ensure remunerative price to the grower and also to see that the industry should be allowed to exist and that they should get about 12 per cent return on their capital investment. We are trying to see that the grower of sugar cane gets a fair price. It is also our concern to see that the sugar industry also thrives and it does not go out of existence.

And then a reasonable return of 12 per cent is worked out. On the basis of that, the levy sugar price has been fixed about which my hon. friends have spoken. That is the basis on which we are working.

As regards the arrears, I agree with the hon. Members that these have caused hardships. The reason is also well-known to the hon. Members. There has been financial credit squeeze by the banks. The production this year is much more than it was last year and the credit that was allowed to the mills by the banks was limited. It was not enough to pay back all the arrears. But, the Government is seized of the matter and the Reserve Bank has already increased the credit limit by Rs. 40 crores and this season we hope that that situation will not be allowed to arise and the growers will get the cane price.

Regarding the excess realisation whether the growers should be given a share of the exports, I want to say that this is done by the S.T.C. and that comes to the revenue; when government spends the whole revenue it is for the welfare of the people as a whole, and farmers as also the growers would benefit.

12.27 hrs.

URBAN LAND (CEILING AND REGULATION) BILL

AMENDMENTS MADE BY RAJYA SABHA

MR. SPEAKER: I think we now go to the next item on the agenda.. .Shri Raghu Ramaiah.

SHRI K. RAGHU RAMAIAH: *rose.*

SHRI ERASMO DE SEQUEIRA (Marmagoa): Sir, I rise on a point of order.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I have not said anything. Where is the point of order?

SHRI ERASMO DE SEQUEIRA: This is on the Urban Land (Ceiling and Regulation) Bill.

SHRI K. RAGHU RAMAIAH: I have not even started.

MR. SPEAKER: He has not yet started.

SHRI ERASMO DE SEQUEIRA: Sir, I am on a point of order on moving of the amendments.

SHRI S. A. SHAMIM (Srinagar): The Minister is before the House.

SHRI ERASMO DE SEQUEIRA: Sir, if you look to Rule 140. It provides that:

> "After the amended Bill has been laid on the Table, any Minister in the case of a Government Bill, or in any other case, any member may, after giving two days' notice, move that the amendments be taken into consideration."

My submission to you is that as long as we try to say to ourselves that we are a House governed by rules, those

[Shri Erasmo de Sequeira]

rules should not be taken for granted. You, Sir, as the Speaker should insist that the prior and formal permission be obtained before any amendment in this fashion is made. To my knowledge, at least to the knowledge of the House, no such permission has been sought from you. I have received these amendments this morning.

MR. SPEAKER: That is the normal rule. But, as you all know, the House is rising to-day. So, two days' availability is not there. So, I have given my consent to him. That should be enough.

SHRI K. RAGHU RAMAIAH: Sir, I thought on the other hand the House would congratulate me for bringing in certain corrections which have been made by Rajya Sabha.

I beg to move·

"That the following amendments made by Rajya Sabha in the Bill to provide for the imposition of a ceiling on vacant land in urban agglomerations, for the acquisition of such land in excess of the ceiling limit, to regulate the construction of buildings on such land and for matters connected therewith, with a view to preventing the concentration of urban land in the hands of a few persons and speculation and profiteering therein and with a view to bringing about an equitable distribution of land in urban agglomerations to subserve the common good, be taken into consideration:—

Clause 2

1. That at page 3, *for* lines 3 to 10, the following be *substituted*, namely:—

'(g) "land appurtenant", in relation to any building, means—

(i) in an area where there are building regulations, the minimum extent of land required under such regulations to be kept as open space for the enjoyment of such building, which in no case shall exceed five hundred square metres; or

(ii) in an area where there are no building regulations, an extent of five hundred square metres contiguous to the land occupied by such building,

and includes, in the case of any building constructed before the appointed day with a dwelling unit therein, an additional extent not exceeding five hundred square metres of land, if any, contiguous to the minimum extent referred to in sub-clause (i) or the extent referred to in sub-clause (ii), as the case may be;'

2. That at page 3, *for* lines 38 and 39, the following be *substituted*, namely:—

'(n) "urban agglomeration",—

(A) in relation to any State or Union territory specified in column (1) of Schedule I, means,—';

3. That at page 3, *after* line 50, the following be *inserted*, namely:—

"(B) in relation to any other State or Union territory, means any area which the State Government may, with the previous approval of the Central Government, having regard to its location, population (population being more than one lakh) and such other relevant factors as the circumstances of the case may require, by notification in the Official Gazette, declare to be an urban agglomeration and any agglomeration so declared shall be deemed to belong to category D in Schedule I and the peripheral area therefor shall be one kilometre;"

4. That at page 5, in line 6, the word "and" be *deleted*.

5. That at page 5, for lines 7 to 10, the following be *substituted*, namely :—

"(ii) in an area where there are building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day with the approval of the appropriate authority and the land appurtenant to such building; and

(iii) in an area where there are no building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day and the land appurtenant to such building:"

Clause 4

6. That at page 7, *after* line 46, the following be *inserted*, namely:—

"(11) For the removal of doubts it is hereby declared that nothing in sub-sections (5), (6), (7), (9) and (10) shall be construed as empowering the competent authority to declare any land referred to in sub-clause (ii) or sub-clause (iii) of clause (q) of section 2 as excess vacant land under this Chapter.".

7. That at page 8,—

(i) in line 7, *insert* "or" at the end;

(ii) *after* line 7, the following be *inserted*, namely:—

"(iii) possesses such land but owns the building, the possession being as a tenant under a lease or as a mortgagee or under an irrevocable power of attorney or a hire-purchase agreement or partly in one of the said capacities or partly in any other of the said capacity or capacities."

Clause 6

8. That at page 9, in line, 6 *for* the word "sub-section" the word 'section" be *substituted*.

9. That at page 9, in lines 12 and 13, the words and bracket "sub-clause (ii) of" be *deleted*.

Clause 7

10. That at page 10, in line 39, *for* the word "persons" the word "person" be *substituted*.

Clause 15

11. That at page 15, in line 10, *after* the word "authority" the words "or by purchase or otherwise" be *inserted*.

Clause 22

12 That at page 19, in line 19, *for* the words "for such purpose" the words "for such purpose and where the competent authority is not so satisfied and does not so permit, the provisions of sections 6 to 14 (both inclusive) shall, so far as may be, apply to the statement filed under sub-section (1) and to the vacant land held by such person in excess of the ceiling limit." be *substituted*.

Clause 27

13 That at page 21, in line 28, *after* the words, "time being in force," the word ", but subject to the provisions of sub-section (3) of Section 5 and sub-section (4) of section 10," be *inserted*.

Clause 38

14 That at page 25, lines 40 to 45 be *deleted*.

15. That at page 26,—

(i) in line 1, *for* the brackets and figure "(2)" the following be *substituted*, namely:—

"Offences and punishments. 38. (1)";

[Shri K. Raghu Ramaiah]

(ii) in line 6, *for* the brackets and figure "(3)", the brackets and figure "(2)" be *substituted;*

(iii) in line 11, *for* the brackets and figure "(4)", the brackets and figure "(3)" be *substituted;* and

(iv) in line 16, *for* the brackets and figure "(5)", the brackets and figure "(4)" be *substituted.*

Schedule I

16. That at page 36, in line 15, *for* the figure and word "8 Kms" the figure and word "8 Kms*" be *substituted.*

17. That at page 36, *after* line 45, the following be *inserted*, namely:—

"*Where any land within the peripheral area of eight kilometres is covered by water (Whether by inland waters or sea or creek), the peripheral area shall be extended beyond such water to a further distance equal to the distance measured across and occupied by such water."

Sir, before you place the motion before the House for discussion, it is my duty to explain to the House the purpose of these amendments which are to be brought up now for consideration. They are essentially three in character—one relates to the special feature of Bombay. Bombay, as you all know, is an island surrounded by water and its peripheral area is 8 k.m. We have to make clear that the sea is not to be counted. That is a very necessary amendment. Yesterday, the Minister from Bombay came. Although the Bill was with them for a long time they also forgot that there is sea. You cannot blame us: we can not anticipate all that. The other thing is that in villages there are no building regulations. So, as the Bill stands, a person in village would have got lesser than a person in town where there are no building regulations. We have to rectify that. Somebody spoke very much about Delhi. In Delhi, the land is not owned but it is only possessed. So, we have taken into consideration that fact. Therefore, we are now making-up those lacunae which is very necesasry and essential. I would beg of the House to accept them.

MR. SPEAKER: Motion moved:

"That the following amendments made by Rajya Sabha in the Bill to provide for the imposition of a ceiling on vacant land in urban agglomerations, for the acquisition of such land in excess of the ceiling limit, to regulate the construction of buildings on such land and for matters connected therewith, with a view to preventing the concentration of urban land in the hands of a few persons and speculation and profiteering therein and with a view to bringing about an equitable distribution of land in urban agglomerations to subserve the common good, be taken into consideration:—

Clause 2

1. That at page 3, *for* lines 3 to 10, the following be *substituted*, namely:—

'(g) "land appurtenant", in relation to any building, means—

(i) in an area where there are building regulations, the minimum extent of land required under such regulations to be kept as open space for the enjoyment of such building, which in no case shall exceed five hundred square metres; or

(ii) in an area where there are no building regulations, an extent of five hundred square metres contiguous to the land occupied by such building,

and includes, in the case of any building constructed before the ap-

pointed day with a dwelling unit therein, and additional extent not exceeding five hundred square metres of land, if any, contiguous to the minimum extent referred to in sub-clause (i) or the extent referred to in sub-clause (ii), as the case may be;'

2. That at page 3, *for* lines 38 and 39, the following be *substituted*, namely:—

'(n) "urban agglomeration",—

(A) in relation to any State or Union territory specified in column (1) of Schedule I, means,—';

3. That at page 3, after line 50, the following be *inserted*, namely:—

"(B) in relation to any other State or Union territory, means any area which the State Government may, with the previous approval of the Central Government, having regard to its location, population (population being more than one lakh) and such other relevant factors as the circumstances of the case may require, by notification in the Official Gazette, declare to be an urban agglomeration and any agglomeration so declared shall be deemed to belong to category D in Schedule I and the peripheral area therefor shall be one kilometre;"

4. That at page 5, in line 6, the word "and" be *deleted*.

5. That at page 5, *for* lines 7 to 10, the following be *substituted*, namely :—

"(ii) in an area where there are building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day with the approval of the appropriate authority and the land appurtenant to such building; and

(iii) in an area where there are no building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day and the land appurtenant to such building:"

Clause 4

6. That at page 7, *after* line 46, the following be *inserted* namely:—

"(11) For the removal of doubts it it hereby declared that nothing in sub-sections (5), (6), (7), (9) and (10) shall be construed as empowering the competent authority to declare any land referred to in sub-clause (ii) or sub-clause (iii) of clause (q) of section 2 as excess vacant land under this Chapter.".

7. That at page 8,—

(i) in line 7, *insert* "or" at the end;

(ii) *after* line 7, the following be *inserted*, namely:—

"(iii) possesses such land but owns the building, the possesion being as a tenant under a lease or as a mortgagee or under an irrevocable power of attorney or a hire-purchase agreement or partly in one of the said capacities or partly in any other of the said capacity or capacities."

Clause 6

8. That at page 9, in line 6, *for* the word "sub-section" the word "section" be *substituted*.

9. That at page 9, in lines 12 and 13, the words and bracket "sub-clause (ii) of" be *deleted*.

Clause 7

10. That at page 10, in line 39, *for* the word "persons" the word "person" be *substituted*.

[Mr. Speaker]

Clause 15

11. That at page 15, in line 10, *after* the word "authority" the words "or by purchase or otherwise" be *inserted*.

Clause 22

12. That at page 19, in line 19, *for* the words "for such purpose" the words "for such purpose and where the competent authority is not so satisfied and does not so permit, the provisions of sections 6 to 14 (both inclusive) shall, so far as may be, apply to the statement filed under sub-section (1) and to the vacant land held by such person in excess of the ceiling limit." be *substituted*.

Clause 27

13. That at page 21, in line 28, *after* the words "time being in force," the words, "but subject to the provisions of sub-section (3) of section 5 and sub-section (4) of section 10," be *inserted*.

Clause 38

14. That at page 25, lines 40 to 45 be *deleted*.

15. That at page 26,—

(i) in line 1, *for* the brackets and figure "(2)" the following be *substituted*, namely:—

"Offences and punishments. 38 (1)";

(ii) in line 6, *for* the brackets and figure "(3)" the brackets and figure "(2)" be *substituted;*

(iii) in line 11, *for* the brackets and figure "(4)" the brackets and figure "(3)" be *substituted;* and

(iv) in line 16, *for* the brackets and figure "(5)" the brackets and figure "(4)" be *substituted*.

SCHEDULE I

16. That at page 36, in line 15, *for* the figure and word "8 Kms" the figure and word "6Kms*" be *substituted*.

17 That at page 36, *after* line 45, the following be inserted, namely:—

"*Where any land within the peripheral area of eight kilometres is covered by water (whether by inland waters or sea or creek), the peripheral area shall be extended beyond such water to a further distance equal to the distance measured across and occupied by such water."

SHRI ERASMO DE SEQUEIRA (Marmagoa): Mr. Speaker, it is now more than clear that what we were saying when this Bill was before this House in its first passage, that this Government had not applied its mind to it at all before coming forward to the House, has now been proved by what was done during its passage through the Upper House, because having moved many more amendments than there were clauses, the Government having moved these in this House, went to our elders and moved 17 other amendments During the last tenure of this Bill in this House, I had said that not only had this Government ceased to think about measures before coming to this House, but in the House itself it appeared to have ceased to listen, ceased to hear, and ceased to consider what we were saying.

In those circumstances, I had suggested that they should go to the people at the end of the term, and enable the people to choose a good government instead of having what we are having now (*Interruptions*). Because if it is only that the form of the passage of the Bill is being followed, and the substance is being scattered like the ashes of a dead institution, then we might just as well not waste

our time, and their time. They can just raise their hands and call this a law. To my mind, it is nothing except a steamroller without direction.

I would like you to look at the amendments. Please look at the definition of 'land appurtenant'. This is amendment No. 1. As you know, the ceiling does not apply, according to the Bill as it is now, to any existing building and land appurtenant thereto. Look at the definition of 'land appurtenant':

> '"land appurtenant" in relation to any building, means—
>
> (i) in an area where there are building regulations, the minimum extent of land required under such regulations to be kept as open space for the enjoyment of such building, which in no case shall exceed five hundred square metres....'

What the Government, in effect, is saying in this definition is that the city shall act against its own building regulations, because if the building regulations of a Master Plan provide that, say, for a particular building or a particular skyscraper the percentage of land that should be kept free is more than 500 sq. metres or more than 1,000 sq. metres for an existing building, the Government is saying that this shall not be the area kept, but what is above the limit now fixed shall be vacant land.

This is not a far-fetched problem. I will give the hon. Minister an example. In many cities of this country, in regard to building construction law, as any architect will tell him, the drafting of law is not merely a matter of knowledge of the drafting process, which Shri Raghu Ramaiah very well knows from his previous experience, but it also involves a certain amount of technical expertise from an architect and from a town planner whom obviously the Government has not consulted on this Bill. As I was saying, this happens in many cases. Suppose it is provided that 40 per cent of the land on which a building shall be constructed is to be kept free under the floor space area ratio. Suppose on a piece of land somebody constructs a building there are many many buildings in the city, especially skyscrapers, where the floor area on the ground is 1,000 sq. metres, or 1,500 sq. metres 2,000 sq. metres or even 3,000 sq. metres—multi-flat storeys. Then what happens? The area of roadways alone around such a building will, in many cases, be almost twice 2,000 sq. metres or 4,000 sq. metres. But under the law as it comes, that building will be allowed to keep only 1,000 and the other 3,000 will disappear. The result is that the roadways of a building will become vacant land."

This is a law which is unenforceable. I cannot think of any other word than 'crazy' to describe it. Look at what they have provided under 'what may be constructed'. It is suggested that no building shall be built, in other than class A cities, with an area above 500 square meters, for a dwelling unit. 500 sq. metres for a dwelling unit is factory, not a house. Even if you have 16 bed rooms you cannot cover 500 sq. metres; it is either a palace or a factory. That is the kind of shortsightedness that the government has displayed in this House.

What is the great hurry for passing this? They have already provided that whatever enactment comes, will have retrospective effect, from the date of its introduction. Why is it necessary for them to steamroller like this and come with a law which nobody can implement? This is not urban ceiling; this is urban disaster.

Therefore, I say to the government that even now, even at this belated stage, they should put on their thinking caps which have been put off since

[Shri Erasma de Sequeira]

the emergency, and they should consider referring this Bill to a select committee.

Every single party, every single section in this House agrees to the principle or urban ceiling. Some of us may have a different approach about how to achieve that; government had tried to achieve the objective through physical means which is, to my mind, wrong; I do feel that they should achieve it through taxation. But granting this, within that method, let us have a law, let us talk about a provision so that once we pass it, it is an enforceable Act; because all that we will do is that in one case we will have buildings without roads leading to them and in another case you will utilise all the exemptions and for the utilisation of those exemptions there will be increase in corruption, as we all know. Instead of a laudable ceiling, you will have some kind of urban mad house in this country. Therefore, I say even now, that the government should think of coming forward with a motion for referring this Bill to a select committee.

SHRI DINEN BHATTACHARYYA (Serampore): Before he replies, I want clarification on amendments Nos. 14 and 15. Amendment 14 seeks to delete clause 38(1) which provides for punishment of offences. I do not know for what reason he is now going back on that in respect of those who violate the ceiling laws. Amendment No. 15 is consequential.

SHRI K. NARAYANA RAO (Bobilli): Sir, I have a few observations to make in respect of amendment No. 1. To understand by observations I request the hon. Minister to look at page 5, definition of vacant land. Sub-clause (ii) of clause 2 (q) says 'land occupied by any building which has been constructed before, or is being constructed on, the appointed day with the approval of the appropriate authority, if any, and the land appurtenant to such building. What flows from amendment No. 1 is that the building area and the open space will be deemed not vacant land, similarly appurtenant land is not vacant land.

Now, there are two issues. A person may have a couple of houses. So far as the appurtenant area is concerned, this amendment has not considered a large vacant land for the disposal. I think I have made the point clear. If there is a dwelling unit on the land, then 500 sq. metres will be allowed, that will come round about one thousand square metres. They will be enjoyed by the person who is owing. Therefore, my humble submission is: Is it serving the purpose of equitable distribution? On the contrary, you are giving bonus unnecessarily to those who are owning one or two buildings plus 500 square meters for nothing. I have a great doubt about the constitutionality of it. During the emergency it is one thing but after the emergency is over, it will be clear violation of the Article 14. I hope the hon. Minister will seriously consider this point.

SHRI K. RAGHU RAMAIAH: Sir, I will first tackle Mr. Sequeira's point. He said that the Government should put its thinking cap on. It is a good compliment which I would like to reciprocate. I would advise him to put his cap on because it looks as though he has read the amendment without his cap on. His speech has nothing to do with the amendment. He has gone into the Original Bill as passed by this House. He has said that the building regulations are to be restricted to 500 square metres and that the government is going against the building regulations. It ought to and that is according to the present social condition. You cannot have building regulations now for 1000 or 2000 square metres which would help the blackmarketeers and the racketeers. We

want to curb the wastage of land and if the regulations can be so modified as to make more land available to the weaker sections of the community, you cannot blame the Government for it. This is consistent with the policy of socialism. Now, the other point he raised was about the plinth area. Please put your cap again on and read the relevant clause. You are not bound to build on all the 500 square metres. It is up to 500 square metres. In your wisdom you can make it in hundred square metres. Now that point is disposed of.

About the penal provision, you kindly read clause 15. It reads like this.

> "15(1) If, or after the commencement of this Act, any person acquires by inheritance...."

Then it has to be accounted for. When I read the clause very carefully the night after the Bill was passed here, I discovered that a man has to account for what he inherits, or what is gifted to him. But there is no reference to purchases. A man has to account also for what he subsequently purchases. Therefore we have amended clause 15. This is by way of abundant caution we want to ensure that the purchase made by him subsequently also is accounted for and all the relevant sections of the clauses of the Bill will apply to that also. Because we have done this, there is no need for 38(1). 38(2) covers this point. Once you give an account of it, then any false statement therein is covered by 38(2).

SHRI N. K. P. SALVE (Betul): Supposing the person owns more than two-hundred houses. A person in Nagpur owns 200 houses in a row, in a most expensive locality. Is he entitled to retain 50,000 square metres?

SHRI K. RAGHU RAMAIAH: He is entitled to retain for each house the area specified hereunder. But he will bleed through the nose. The scheme of the Act is not to disturb the existing houses physically and not to divide the houses by metes and bounds. Then the problem is how to deal with it. A man may have 2 or 4 or 10 or even 200 houses. We are going to give guidelines to the State Governments to levy such a dose of taxation on those houses that he will not think it worth while to keep the houses and he will sell them one by one. You can ask, why we are not doing it ourselves. By the resolutions passed by various State Assemblies, we are not competent to do it. We are only authorised to regulate the ceiling on property, not taxation on property.

SHRI DINEN BHATTACHARYYA: For Union Territories, you are responsible.

SHRI K. RAGHU RAMAIAH: For that. I will do what they do.

SHRI K. NARAYANA RAO: My point is, you are now giving an additional benefit of 500 sq.m. apart from the one which he is entitled to under the Act.

SHRI K. RAGHU RAMAIAH: You are talking of the 500 sq. m. mentioned in the amendment. Originally it was suggested to the government that the existing buildings should be left untouched whatever be the area. That was one opinion. The other opinion was that the existing buildings should be divided. A *via media* has to be found. So, it was said that the land occupied by the building and the land appurtenant which has to be kept vacant under the building regulations should not be taken into account. But we are not allowing all that land. We say, not exceeding 500 sq. m. If the building regulation says that 2000 sq. m. are to be kept vacant, we say, we will allow only 500 sq. m. As a concession, we said, another 500 sq. m. in each case. That is the original scheme. Then we discovered that in the rural areas there are no building regulations. So, if we left

[Shri K. Raghu Ramaiah]

the Bill as it was, a man in an urban area will get a building plus 1000 sq. m. but in the rural area he will get only 500 sq. m. and nothing more. So, we wanted to remove that inequality and we said, if there are no building regulations, a building plus 1000 sq. m. should be allowed.

SHRI K. NARAYANA RAO: I am confining myself to one house. 500 sq. m. will be deemed to be not vacant land. In addition to that, if I am having any vacant land, I am entitled to 500 sq. m. more. Is it the intention.

SHRI K. RAGHU RAMAIAH: That is not in the intention nor the provision in the Bill. In calculating whether a man should have a vacant land of 500 sq. m. we take into account what he already has. If he has anything above 500 sq. m. he would not get any new vacant land All the land occupied by the building, the land appurtenant to that, all will be taken into account. If what he has exceeds 500 sq. m. he would not get an inch more.

MR. SPEAKER: The question is.

"That the following amendments made by Rajya Sabha in the Bill to provide for the imposition of a ceiling on vacant land in urban agglomerations, for the acquisition of such land in excess of the ceiling limit, to regulate the construction of buildings on such land and for matters connected therewith, with a view to preventing the concentration of urban land in the hands of a few persons and speculation and profiteering therein and with a view to bringing about an equitable distribution of land in urban agglomerations to subserve the common good, be taken into consideration:—

Clause 2

1. That at page 3, *for* lines 8 to 10, the following be *substituted*, namely:—

'(g) "land appurtenant", in relation to any building, means—

(i) in an area where there are building regulations, the minimum extent of land required under such regulations to be kept as open space for the enjoyment of such building, which in no case shall exceed five hundred square metres; or

(ii) in an area where there are no building regulations, an extent of five hundred square metres contiguous to the land occupied by such building,

and includes, in the case of any building constructed before the appointed day with a dwelling unit therein, an additional extent not exceeding five hundred square metres of land, if any, contiguous to the minimum extent referred to in sub-clause (i) or the extent referred to in sub-clause (ii), as the case may be;'

2. That at page 3, *for* lines 38 and 39, the following be *substituted*, namely:—

'(n) "urban agglomeration",-

(A) in relation to any State or Union territory specified in column (1) of Schedule I, means,—';

3. That at page 3, *after* line 50, the following be *inserted* namely:—

"(B) in relation to any other State or Union territory, means any area which the State Government may, with the previous approval of the Central Government having regard to its location, population (popula-

tion being more than one lakh) and such other relevant factors as the circumstances of the case may require, by notification in the Official Gazette, declare to be an urban agglomeration and any agglomeration so declared shall be deemed to belong to category D in Schedule I and the peripheral area therefore shall be one kilometre;"

4. That at page 5, in line 6, the word "and" be *deleted.*

5. That at page 5, *for* lines 7 to 10, the following be *substituted,* namely:—

"(ii) in an area where there are building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day with the approval of the appropriate authority and the land appurtenant to such building; and

(iii) in an area where there are no building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day and the land appurtenant to such build-

Clause 4

6. That at page 7, *after* line 46, the following be *inserted,* namely:—

"(11) For the removal of doubts it is hereby declared that nothing in sub-sections (5), (6), (7), (9) and (10) shall be construed as empowering the competent authority to declare any land referred to in sub-clause (ii) or sub-clause (iii) of clause (q) of section 2 as excess vacant land under this Chapter.".

7. That at page 8,—

(i) in line 7, *insert* "or" at the end;

(ii) *after* line 7, the following be *inserted,* namely:—

"(iii) possesess such land but owns the building, the possession being as a tenant under a lease or as a mortgagee or under an irrevocable power of attorney or a hire-purchase agreement or partly in one of the said capacities or partly in any other of the said capacity or capacities.'

Clause 6

8. That at page 9, in line 6, *for* the word "sub-section" the word "section" be *substituted.*

9. That at page 9, in lines 12 and 13, the words and bracket "sub-clause (ii) of" be *deleted.*

Clause 7

10 That at page 10, in line 39, *for* the word "persons" the word "person" be *substituted.*

Clause 15

11. That at page 15, in line 10, *after* the word "authority" the words "or by purchase or otherwise" be *inserted.*

Clause 22

12. That at page 19, in line 19, *for* the wodrs "for such purpose" the words "for such purpose and where the competent authority is not so satisfied and does not so permit, the provisions of sections 6 to 14 (both inclusive) shall, so far as may be, apply to the statement filed under sub-section (1) and to the vacant land held by such person in excess of the ceiling limit." be *substituted.*

Clause 27

13. That at page 21, in line 28, *after* the words "time being in force," the words, "but subject to the provisions of sub-section (3) of section 5 and sub-section (4) of section 10," be *inserted.*

Clause 38

14. That at page 25, lines 40 to 45 be *deleted.*

[MR. SPEAKER in the Chair]

15. That at page 26,-

(i) in line 1, *for* the brackets and
(ii) in figure "(2)" the following be substituted, namely:—

"Offences 38. (1)";
and punishments.

(ii) in line 6, *for* the brackets and figure "(3)", the brackets and figure "(2)" be *substituted;*

(iii) in line 11, *for* the brackets and figure "(4)", the brackets and figure "(3)" be *substituted;* and

(iv) in line 16, *for* the brackets and figure "(5)" the brackets and figure "(4)" be *substituted.*

SCHEDULE I

16. That at page 36, in line 15, *for* the figure and word "8 Kms" the figure and word "8 Kms" be *substituted.*

17. That at page 36, *after* line 45, the following be *inserted*, namely:—

"*where any land within the peripheral area of eight kilometres is covered by water (whether by inland waters or sea or creek), the peripheral area shall be extended beyond such water to a further distance equal to the distance measured across and occupied by such water"

The motion was adopted

MR. SPEAKER The question is·

Clause 2

1. That at page 3, *for* lines 3 to 10, the following be *substituted*, namely:—

'(g) "land appurtenant", in relation to any building, means—

(i) in an area where there are building regulations, the minimum extent of land required under such regulations to be kept as open space for the enjoyment of such building, which in no case shall exceed five hundred square metres; or

(ii) in an area where there are no building regulations, an extent of five hundred square metres contiguous to the land occupied by such building.

and includes, in the case of any building constructed before the appointed day with a dwelling unit therein, an additional extent not exceeding five hundred square metres of land, if any, contiguous to the minimum extent referred to in sub-clause (i) or the extent referred to in sub-clause (ii), as the case may be;'

2. That at page 3, *for* lines 38 and 39, the following be *substituted*, namely:—

(n) "urban agglomeration",—

(A) in relation to any State or Union territory specified in column (1) of Schedule I means,—';

3 That at page 3, *after* line 50, the following be *inserted*, namely .—

"(B) in relation to any other State or Union territory, means any area which the State Government may, with the previous approval of the Central Government, having regard to its location, population (population being more than one lakh) and such other relevant factors as the circumstances of the case may require by notification in the Official Gazette, declare to be an urban agglomeration and any agglomeration so declared shall be deemed to belong to category D in Schedule I and the peripheral area therefor shall be one kilometre;"

4. That at page 5, in line 6, the word "and" be *deleted.*

5. That at page 5, *for* lines 7 to 10, the following be *substituted*, namely:—

"(ii) in an area where there are building regulations, the land occupied by any building which has been constructed before, or is being constructed on the appointed day with the approval of the appropriate authority and the land appurtenant to such building; and

(iii) in an area where there are no building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day and the land appurtenant to such building."

Clause 4

6. That at page 7, *after* line 46, the following be *inserted*, namely:—

"(11) For the removal of doubts it is hereby declared that nothing in sub-sections (5), (6), (7), (9) and (10 shall be construed as empowering the competent authority to declare any land referred to in sub-clause (ii) or sub-clause (iii) of clause (q) of section 2 as excess vacant land under this Chapter.".

7. That at page 8,—

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(iii) possesses such land but owns the building, the possession being as a tenant under a lease or as a mortgage or under an irrevocable power of attorney or a hire-purchase agreement or partly in one of the said capacities or partly in any other of the said capacity or capacities."

Clause 6

8. That at page 9, in line 6, *for* the word "sub-section" the word "section" be *substituted*.

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10. That at page 10 in line 39, *for* the word "persons" the word "person" be *substituted*.

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11. That at page 15, in line 10, *after* the word "authority"" the words "or by purchase or otherwise" be *inserted*.

Clause 22

12. That at page 19, in line 19, *for* the words "for such purpose' the words "for such purpose and where the competent authority is not so satisfied and does not so permit, the provisions of sections 6 to 14 (both inclusive) shall so far as may be, apply to the statement filed under sub-section (1) and to the vacant land held by such person in excess of the ceiling limit." be *substituted*.

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[Mr. peaker]

"Offences and punishments. 38. (1)";

figure "(2)" the following be *substituted* namely:—

(ii) in line 6, *for* the brackets and figure "(3)", the brackets and figure "(2)" be *substituted,*

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SCHEDULE I

16 That at page 36, in line 15, *for* the figure and word "8 Kms" the figure and word "8 Kms" be substituted.

17. That at page 36, *after* line 45, the following be *inserted,* namely:—

"*Where any land within the peripheral area of eight kilometres is covered by water (whether by inland waters or sea or creek) the peripheral area shall be extended beyond such water to a further distance equal to the distance measured across and occupied by such water."

The motion was adopted.

SHRI K. RAGHU RAMAIAH I beg to move:

"That the amendments made by Rajya Sabha in the Bill be agreed to".

MR SPEAKER The question is:

"That the amendments made by Rajya Sabha in the Bill be agreed to".

The motion was adopted.

12.51 hrs.

PREVENTION OF FOOD ADULTERATION (AMENDMENT) BILL

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): I beg to move*:

"That the Bill further to amend the Prevention of Food Adulteration Act, 1954, as passed by Rajya Sabha, be taken into consideration."

Sir, among the many social and economic evils that afflict our country, food adulteration is one of the most prominent and one of the most reprehensible. Food is a necessity of life and there are these anti-social and criminal elements who as a result of their own creed for profit, subject the unaware and un-suspected public to grave danger.

Food adulteration is rampant and it does constitute a major health hazard. Particularly, the weaker sections of society, women and children and others are very vulnerable to this particular type of evil A great deal of ingenuity goes into the adulteration of food and quick porfits are made at the expense of the health of the society. Therefore, there has been, for some time, a public demand for severe action against food adulterators It was for this purpose that we brought in towards the end of 1974 an amendment to the PFA Bill in the Rajya Sabha. When that amendment Bill was brought before the Rajya Sabha, there was a widespread demand from Members of both the Houses and also from general public that it should be referred to the Select Committee which it was. The Select Committee went very thoroughly into the problem; they had 37 sittings; it took a great deal of evidence and finally the Bill that has emerged from the Select Committee,

*Moved with the recommendation of the President.

I think, is a very useful and progressive piece of legislation.

The three major points that we are trying to achieve by this Bill are: firstly to safeguard the interest of the consumer because, as I said, normally the consumer is unaware, un-suspected and has no way of knowing whether the thing is adulterated or not. The house-wives and poor people go to buy food-stuffs without any fear or suspicion and often they find themselves cheated. So, the first major precaution is to safe-guard the consumers, millions of consumers in this country who everyday have got to consume various types of food-stuffs. The second point that we kept in mind was to prevent undue harassment of the trade. Whereas, certainly the anti-social elements have got to be dealt with in a draconian fashion, we did not want undue harassment either to the producers or the whole-sellers or retailers. So, we have tried to make a good balance in this Act between very strong penal provisions and between preventing undue harassment. Finally, the other point that was made by all the evidence and by all the Members of the Committee is the question of implementation because the Act has been on the statute book for 20 years, the record has not been very happy partly because of lacunae and loopholes in the Act itself and partly because of in-effective and unsatisfactory implementation particularly in the States. Therefore, we have given a good deal of thought to the whole problem of implementation of the Act. Keeping these three principles in mind, I would like to submit before the hon Members some of the salient points of this new bill that we have brought before you First, a distinction has been made between an adulteration capable of easy detection by the naked eye and that adulteration which is not so capable of detection As a result, a definition of primary food has, for the first time, been brought in. Secondly, we are suggesting a graded system of penalties, depending upon the seriousness of the offence; and we have done one very major thing. Primary food which is sub-standard solely due to natural causes beyond human control, has been totally taken out of its purview. This is one of the major points which people made before us, viz. that where it is due to natural causes and is not due to human interference and is not injurious to health, it should be removed. So, it has been done. Starting from there, we have a graded series of punishments going up to life imprisonment for that type of adulteration which can cause a grievous harm or death. As you know, if a person murders somebody, he can be either hanged or sentenced to life imprisonment. But if somebody cold-bloodedly does the type of adulteration which can cause a permanent injury or death, we feel that there should be no mercy shown to that particular person. So, we have gone up gradually to life imprisonment. We hope that this will be a major deterrent against this type of an anti-social practice. Thirdly, a more rational and effective method of taking samples and submission of the report by the Public Analyst has now been incorporated. A great deal of thought was given to it by the select committee, i.e. as to what should be the process, how the samples should be taken and how they should be sent to various other agencies; and we find that we have now come up with what we consider to be a very much improved method in this regard. The bill, cash memo or invoice now will be deemed to be a warranty for the purpose of instituting action Many of the small dealers have complained to us that they had no other way because when they had asked them for warranty, the warranty was not available from the wholesalers. That has now been taken care of. An interesting thing came before the committee—I must admit I was not aware of it ear-

[Dr. Karan Singh]

lier. There is a flourishing trade, not only in adulteration, but in the manufacture of adulterants specifically for adulteration; and a great deal of ingenuity goes into this. We were astonished to see examples in which several factories were set up to manufacture adulterants; and so far, under the existing Act, these adulterants were not within the mischief of this Act. Now we have specifically included the adulterants also within the purview of the Act; and the punishment will also be commensurate with the adulterants. Then we have the Central Committee for Food Standards which is the apex body for laying down food standards. We have enlarged it to provide for 5 representatives of the consumers, including the hotel industry and other consumers' organizations, because after all, it is to safeguard the consumers that we are bringing forward this legislation; and we are also increasing the representation for the trade from 2 to 3. Then, power has been taken by the Central Government to give directions to the States, because, I would like to reiterate again, that although we may pass the Act, the enforcing authorities in this country are predominantly the State Governments. Therefore, we felt that we should have the power to give directions to the State Governments in order to ensure proper implementation. Also, there has been a provision for a summary trial for those offences in which the punishment is for a period upto one year. As a result, the bill has been very much improved. Certain amendments were brought forward by me in the Rajya Sabha. Very briefly, I will refer to them. One is a point made by Mr. Gotkhinde that for technical breach of licensing etc. the courts should be empowered to give, if necessary, a lighter sentence.

13 hrs.

Secondly, there was no proper explanation for the term "admixture". It is possible that two types of foodgrains, neither of which is harmful, could be mixed. But, because they were mixed, they would come within the ambit of the Act. We have clarified it.

Thirdly, the Select Committee itself suggested that article 17, which deals with the liability of companies, should be suitably amended. This mainly arose in the case of the hotel and tourism industry, where all the directors of a company were to become liable even though they may not know what was happening. There are chain organisations. The public sector ITDC, for example, has a vast network of motels, hotels and so on. If something happens somewhere, all the directors and officials may not be aware of it, have put in a sub-clause that a managerial person who is responsible there and who has been nominated for the purpose will be impleaded in the first place. But I would like to clarify two or three points in this connection. It has been brought to my notice by some friends that it is possible that this amendment may be utilized by anti-social firms in order to evade their responsibility and to make whipping boys of certain people. This is the last thing that we would like to see happening. We have laid down that the person must be in a managerial capacity and, even then, if it is discovered that the other directors of the company are also involved, they will be prosecuted. We will keep a very close eye on this particular point in order to ensure that it is not misused, and if we find that this *bona fide* amendment is being misused, we will not hesitate to come before the House again with an amendment.

Two more points I would like to submit, which are of great importance, before I present the motion on the Bill. The first is the question of laboratories. It is true that at present the number of laboratories is very small.

The appellate laboratory is only one in Calcutta, which is gravely over-burdened, and this is a bottleneck. We have, therefore, decided that after the passage of this Bill we will declare four major regional laboratories as appellate laboratories—the Central Laboratory, Calcutta, for the eastern region, the Food and Drug Research Laboratory in Ghaziabad for the northern region, the Central Food Technological Research Institute, Mysore, for the southern region and the Public Health Laboratory in Poona for the western region. In other words, instead of one appellate laboratory, we are going to have four appellate laboratories in the four regions, so that delay is cut down and the time that is taken to send samples only to one place is reduced. It makes the implementation of the Act much better.

Simultaneously, we are planning to give assistance to eight States to set up new food and drug laboratories, 12 States to augment their existing laboratories and to over 40 laboratories we will try and give some funds in order to get more equipment so that they can be more efficient in their tests. I am mentioning this in some detail, because it was brought to our notice in the evidence that, unless every State has got a good laboratory and unless testing facilities are there, the Act becomes virtually non-operative. So, we are paying a good deal of attention to that.

Finally, I come to the question of implementation. I have called a meeting of the Central Council of Health from the 15th of April this year, which will be attended by all the State Ministers of Health. And one of the items on the agenda is specifically going to be the administration of this Act. We want to strengthen the food cell in the Central Direcorate. We are urging the States and the Union Territories to strengthen their organisations. We are going to have training courses for the food technologists as well as food inspectors. We want to have adequate publicity and a lot of mass education campaigns, and we want to involve voluntary organisations, such as the Citizens' Councils, particularly women's organisations and consumer organisations, so that they can build up public opinion and they can help in the implementation of this Act. A close watch will be kept on the implementing staff also, because we have received complaints that sometimes the Food Inspectors misuse their authority in order to harass innocent consumers. For that purpose, we will also keep a close watch upon them and see if anything happens of this nature, we will take advantage of the existing legislation, and if necessary, of the emergency power to take draconian action against offending employees.

This briefly is the scheme of the legislation. No legislation by itself, of course, can ever be successful unless it is backed by a very aware and alert public opinion. I think the passage of this Bill will be a major milestone in the massive assault upon the civil evils and criminal anti-social activities that are taking place.

With these words, I commend the Bill for the consideration of the House.

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Prevention of Food Adulteration Act, 1954, as passed by Rajya Sabha, be taken into consideration."

I would suggest that three hours' time should be fixed for this item. If all the Members will try to be brief, I think, I will be able to accommodate all the Members.

श्री मूल चन्द डागा (पाली) : अकसर ऐसा होता है कि पहले बोलने वाले 25, 30 या 40 मिनट ले लेते हैं और पीछे बोलने वालों को एक एक दो दो मिनट ही दिये जाते हैं।

[श्री मूल चन्द डागा]

मेरी प्रार्थना है कि समय का बटवारा ठीक-ठीक होना चाहिये।

पैनल आफ चेयर मैन की बात मैं नहीं कहता हूं। लेकिन मैं प्रार्थना करता हू कि जिस आर्डर मे नाम आएं उसी आर्डर मे आप बोलने का मौका भी हम लोगो को दें। जिन के पहले आयें उनको पहले दें और जिन के बाद मे आए उनको बाद मे दे। तीसरी बात यह है कि कुछ लोगो ने समय को मोनोपोलाइज कर लिया है यह नहीं होना चाहियें।

एक माननीय सदस्य . जैसे आपने किया है।

MR. SPEAKER: You should leave it to the Chair. I have appealed to the Members that they can make their points. But if they are brief, then every Member will be able to do so.

DR. SARADISH ROY (Bolpur): Food adulteration is rampant throughout the country specially for the last 27 years after Independence. This is revealing throughout the country and is causing injury to the health of the common man, especially the poorest sections. It is said that every 4th food article is adulterated. This adulteration business has flourished because the adulterators have got good media in our country and the abnormal rise in prices of food articles has encouraged them to sell adulterated food in the country.

13.08 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Moreover, though the Government is speaking of socialism, we know that this is a capitalistic society; we are having capitalist development where profit is the main theme of the matter and the unscrupulous traders want to make easy profit. So, through this medium, they are taking advantage of adulterated food so that they can multiply their profits easily.

Unless this society is changed, this menace of adulteration cannot be wiped out completely. The poor people are mostly affected because they have got less purchasing power. Those who have got more purchasing power, can purchase good food articles at a higher rate. But the poor people whose purchasing power is less, are forced to purchase food article at a lower price with the result that they purchase these adulterated food articles which are rampant in this country. Due to Government's reluctance and apathy to face this problem, this law has helped to multiply adulteration. This business has thrived to a great extent.

There are 6 million un-nourished children in our country. They are mostly affected. These people cannot purchase pure milk. They have to depend on other cheaper articles and these articles are always found to be adulterated. They are the most affected persons in our country. If we can lower the prices of food articles and increase the purchasing power of the poor people, the problem can be mitigated to some extent But the Government does not do that They allow increase in prices, thereby lowering the purchasing power of the people. So, this problem cannot be solved. After 20 years of reluctance, the Government has come forward with this Bill.

Coming to the Bill, I find that the offences of adulteration' have been categorised There is one category of adulteration "which renders it injurious to health". There is another category which says "which does not render it injurious to health". There are two categories, injurious to health and not injurious to health. Then, there is clause 12 which provides

punishment. On p. 12 of the Bill, it is stated:

> "Provided that if such article of food or adulterant when consumed by any person is likely to cause his death or is likely to cause such harm on his body as would amount to grievous hurt within the meaning of section 320 of the Indian Penal Code........"

This will have to be proved before the court of law. Though, it seems, stringent measures have been taken, it is very difficult to prove that it is likely to cause death or is likely to cause such harm on his body as would amount to grievous hurt, before the court of law. Therefore, in spite of these stringent measures, the people who are indulging in adulteration will go scot-free. For the category, "which does not render it injurious to health", a simpler punishment is provided. This will not go a long way in solving the problem.

Then, I want to make another point. In the Report of the Joint Committee of the Rajya Sabha, it is stated:

> "Milk is an article of food in which the incidence of adulteration in spite of the Act has been the highest.... Adulteration in milk is so rampant that if action is taken against the suppliers of such dairies, perhaps, no dairy would be left working in this country, even the Delhi Milk Scheme would come to grief...... The Committee, therefore, thinks that some way should be devised to ensure the continuance of these dairies and also to ensure the supply or pure milk."

In this connection I want to say that milk is generally adulterated with water. If water is added to milk, I want to know in which category of adulteration it will come. In this clause, there is a provision "which does not render it injurious to health" and here the adulterator will get less punishment. I want the hon. Minister to clarify this point. It is stated in the Report of the Joint Committee that some way should be devised to ensure the supply of pure milk. What is going to be done in this direction? This should be clarified by the hon. Minister.

The hon. Minister has said about implementation. There is only one Central Food Laboratory at present. Now, they are increasing the number of four. That is not at all sufficient. Every State should have a laboratory, not only a laboratory but a well-qualified trained staff.

DR. KARAN SINGH: The four will be appellate Laboratories. The other will be the primary laboratory.

DR. SARADISH ROY: These laboratories should be well equipped and they should have trained persons. Without that, it is now seen that the reports of the laboratories vary from one to another, with the result that these adulterators are free from the courts, they are not punished. So if we are to have a uniform report from all the analytical laboratories, they must be well equipped and they must have well trained staff and sufficient staff so that they can deal with all the samples to be examined daily. Unless this is done, this punishment clause and other things will remain only on paper.

So far, the Sanitary Inspectors were doing the work, and now Food Inspectors are to do it. These Food Inspectors are not well trained. Special training should be given to the Food Inspectors so that they can implement the Act properly. Secondly, they must have adequate wages and adequate remuneration because corruption is there. The Minister has stated that the Food Inspectors are corrupt because they are not well paid. They are not controlled by Government officials but are under the control of local bodies, they are also poorly paid and they are not

[Dr. Saradish Roy]

at all trained in this line. So, they must be trained and well paid so that they will not be easy prey to corruption. All these things must be looked into.

Then, without finance, this Bill will remain unimplemented. In the last Fourth Plan period, no provision was made for checking food adulteration. Some money was allotted in the Fifth Five Year Plan, but though the third year is over, how much money has been spent on this account is not known. However, if we do not have adequate funds to administer this measure it will be impossible to check adulteration.

Regarding the Advisory Council, it has been recast and the Minister has said that the consumers' interest has been provided for here. It is said that the Advisory Council will have five representatives of the consumers, one of whom should be in the hotel industry. Now, the hotel industry is not a consumer. A Hotlier is not a consumer but a seller. How can he become a consumer? If you want, you can take him in other categories, but you have taken him as a representative of the consumers.

Now, there is one amendment by Shri Ramavatar Shastri regarding the Indian Medical Association. I also propose that the Indian Medical Association should be associated with the Food Advisory Body. I also propose that there should be not only a Central Food Advisory Body but, at the State level also, there should be an Advisory Body with the interest of the consumers and the Medical Association represented on it. A State Food Advisory Council should be set up to look after the implementation of this Act.

In conclusion I would like to say that whatever improvement may be made in this Act, unless the poverty of the common people is removed, unless the purchasing power of the common people is improved and unless food and other essential articles are adequately supplied at reasonable prices and are within the reach of the common people, this menace of adulteration will not be checked so easily by any Act of this country.

With these words, I conclude.

श्री श्री किशन मोदी (सीकर) : उपाध्यक्ष महोदय, मैं इस बिल का समर्थन और अनुमोदन करता हूं और इस के लिए मंत्री महोदय को बहुत धन्यावाद देता हूं ।

जिस समय 1974 में यह बिल पेश हुआ था, उस समय यह आशंका की गई थी कि क्या कोई व्यक्ति अब धंधा कर सकेगा, क्या कोई व्यापार चल सकेगा, क्योंकि वह बिल अव्यावहारिक था। सिलैक्ट कमेटी ने जगह जगह जा कर व्यावहारिक बातें देखीं। इतना समय लगाकर इस बिल को उस ने अधिक व्यावहारिक और उपयोगी बना दिया है। इसके लिए मैं कमेटी के चयरमैन, उस के मेम्बरों और मंत्री महोदय को बहुत बहुत धन्यावाद देता हूं ।

ज्यादातर देखा गया है कि दो तीन साल में फूड एडल्ट्रेशन एक्ट तहत जितने भी आदमियों के चालान हुए हैं और जितने भी आदमियों को सजा मिली है, उन में से 95 परसेंट गरीब आदमी है, 5 परसेंट बीच के आदमी हैं, लेकिन किसी भी कैपिटलिस्ट या मनुफैक्चरर को आज तक सजा नहीं मिली है। यह देखा गया है कि जब भी सैम्पल लिया जाता है, तो हमेशा खुदरा व्यापारी से ही लिया जाता है। एक खुदरा व्यापारी दो चार आने में लिप्टन टी के सीलबन्द पैकट बेचता है। उस की गारंटी भी और उस के पास बिल भी है। अगर वह सैम्पल सबस्टैंडर्ड

निकल गया, तो उस का चालान कर दिया जायेगा। यह ठीक है कि चालान उस व्यक्ति का भी किया जायेगा, जिस ने वह माल भेजा है, लेकिन प्रश्न यह है कि उस गरीब का क्या दोष है। उस गरीब ने कहीं कुछ मिलाया नहीं है। वह सीलबन्द पैकट है और उस के पास बिल मौजूद है। उस ने दो चार आने की चाय बेची और उस बेचारे गरीब को छ महीने की सजा हो जाये, यह न्याय नहीं है। आखिर उस ने क्या कुसूर किया है?

सरकार कहती है कि वह अदालत मे जा कर इस मामले मे निपटे और वहा छूट जाये। उस गरीब की हत्या तो वैसे ही हो जायेगी। अदालत मे हमेशा बड़े आदमी को ज्यादा सहूलियत मिलती है। इस लिए मैं यह निवेदन करना चाहता हू कि या तो रूल्ज मे तरमीम की जाये, या इस बिल मे यह व्यवस्था की जायेगी जो रीटेलर सीलबन्द माल बेच रहा है, जिस के पास उस की वारन्टी और बिल है, जिस ने उस माल को ठीक तरह मे स्टोर किया है, उस का चालान न किया जाये, उस को सरकारी गवाह मान लिया जाय और दोषी व्यक्ति को सजा दिलाई जाये।

उदाहरण के लिए एक खुदरा व्यापारी एक एक किलो चीनी बेच रहा है। वह सैम्पल पकड़ लिया गया और उस मे कोई खराबी निकली। अगर उस के पास वारंटी और बिल है, तो उस बिल के मुताबिक जहा से वह माल लाया है, उस के सभी बेग्ज सैम्पल का एनेलिसिस किया जाये, और अगर दोनो सैम्पलज के एनेलिसिस बराबर है, तो फिर उस गरीब रीटेलर का क्या कुसूर है?

रीटेलर तो सैल्फ एम्पलायड लेबर है। वह मजदूर बीस दस्सी रोज की मजदूरी करता है। अगर उस को इस तरह सजा दी जायगी, तो यह उस के प्रति अन्याय होगा और न ही इस तरह एडल्ट्रेशन बन्द होगा। एडल्ट्रेशन तो तब बन्द होगा, जब सरकार मैनुफेक्चरर पर चोट करेगी।

हिन्दुस्तान मे व्यापार का यह नियम रहा है कि मनुफैक्चरर या कैपिटलिस्ट या पूंजीपति लोग अपने माल को किसी बिचौलिये की मार्फत चाहे उस को होलसेलर कहे या दलाल कहें रीटेलर तक पहुचाता है। रीटेलर की ऐसी स्थिति है कि वह गरीब मजदूर होने के कारण उन लोगो पर डिपेन्ड करता है। उसको अपना पेट भरने के लिए उन का माल बेचना पड़ता है। यह बहुत अच्छी बात है कि इस कानून मे उन लोगों को सजा देने की व्यवस्था की गई है, लेकिन अगर उन लोगों की तरफ खास तौर से ध्यान दिया जायगा, तो उचित होगा।

यह सरकार की अपनी धारणा है कि दूध की डेयरिया बन्द नही होनी चाहिये और यह काम ठीक चलना चाहिए। मंत्री महोदय जानते हैं कि आज हिन्दुस्तान में बहुत से लोग ऐसे है, जो अपना पेट सिर्फ दूध बेच कर भरते है। गावो मे कुछ लोग ऐसे है जिनके पास इस के सिवाय कोई धन्धा नही है व एक गाय भैंस रखें और उस का दूध बेच कर अपना पेट भर लें। अगर उन लोगो को छः छः महीने की जेल या दो दो हजार रुपया जुर्माना होने लगा, तो उन के लिए यह काम करना सम्भव नही होगा। मैं मानता हू कि दूध सही मिलना चाहिये। लेकिन दूध की एक विशेष स्थिति है। मंत्री महोदय मानेंगे कि पंजाब, तामिलनाडु या जैसलमेर या बीकानेर की गाय या भैंस का दूध उस के

[श्री श्रीकिशन मोदी]

खान पान, चारे और जलवायु पर निर्भर करता है। अगर उन सब को एक कर दिया जायगा, तो बड़ी मुश्किल हो जायगी और लोग इस रोजगार को बन्द कर देंगें और इस मे सब गरीब ही मरेंगे। मेरा नम्र निवेदन है कि मंत्री महोदय इन सभी बातो को ध्यान मे रख कर दूध के लिए एक अलग कानून बनाये। अगर दूध बेचने वाले गरीब आदमी ने उस में पानी नही मिलाया है, और उस के बाद दूध मे पर्याप्त फ़ैट नही निकला है, तो उस का क्या दोष है ?

सरकार इस बारे मे क्या सुविधा दे रही है कि जब दूध बेचने वाला दूध बेचने के लिए जाये, तो उस का एक छोटा सा एनेलिसिस कर के उस की शुद्धता मालूम कर ली जाये प्रत्येक जिले मे यह व्यवस्था की जाये कि दूध का एनेलिसिस कर के यह पता लगाया जाये कि उस मे कितना पानी है और उस के अनुसार दोषी व्यक्ति को सजा दी जा सकती है मेरा सुझाव है कि जिले वाइज एसी व्यवस्था की जाये कि जब दूध वाले अपना दूध बेचने के लिए आये, तो उन को पता लग जाये कि उन के दूध मे क्या खराबी है

मंत्री महोदय को मालूम है कि दिल्ली मे सेंट्रल गवंनमेंट की डेयरी के 90 सैम्पल पकड़े गये है और उन मे से सिर्फ़ चार या पाच सैम्पल पास हुए है, बाकी सब रिजेक्ट हुए है। जब सेंट्रल गवंनमेंट की डेयरी का यह हाल है, जिस के पास बडी लबारेटरी है, सब साधन है, तो गरीब गाय-भैस वालो की क्या स्थिति हो सकती है और उन से क्या एक्सपेक्ट किया जा सकता है

इस बिल में कहा गया है कि तीन सैम्पल लिये जायेंगे। पहले पांच सैम्पल लिये जाते थे और एक सैम्पल दुकानदार के पास रहता था। मेरा निवेदन है कि जिस व्यक्ति को सरकार सजा देना चाहती है, उस के पास अपने बचाव के लिए सैम्पल तो रहना चाहिए। अगर उस के पास कोई सीलबन्द सैम्पल न हो, तो उस के साथ वह न्याय नही होगा।

इस बिल में एक बडी अजीब व्यवस्था की गई है कि तीन सैम्पलो मे से एक सम्पल लेबारेटरी को भेज दिया जायेगा, और अगर वह सैम्पल पास हो गया, और अगर हैल्थ आफिसर उचित समझता है, तो वह उस सैम्पल को दूसरी लेबारेटरी के पास भेज देगा। ये गवंनमेंट की अपनी लेबारेटरी है। इस लिए एक लेबारेटरी से एक दफा सम्पल पास होने के बाद उस को दूसरी लेबारेटरी मे भेजना अनुचित है। और अगर आप किसी कारण से भेजना भी चाहते है तो मेरा निवेदन है कि सेंट्रल गवंनमेंट की राय से सैम्पल दूसरी लेबारेटरी मे भेजा जाये।

जो सैंट्रल कमेटी बनाई है उस मे रिटेलर के रेप्रजेन्टेटिव अवश्य होने चाहिए क्योंकि सब से ज्यादा सजा उन को मिलती है, उन के खिलाफ कानून बनते है। इसलिए उन का रेप्रेजेन्टेटिव अवश्य लिया जाना चाहिए।

इसके अलावा प्रचार का काम बडी शीघ्रता मे डिस्ट्रिक्ट-वाइज करना चाहिए। जैसे कि फैमिली प्लानिंग मे कर रखा है उसी तरीके से जिले वाइज प्रचार इस बात का भी करना चाहिए।

बातें तो मुझे बहुत कहनी थी लेकिन आप समय नही दे रहे हैं। एक-दो बात लेकर के

बीच में कहना चाहता हूं। तेल में एक ऐसी चीज मिलाते हैं सत्यानाशी का बीज जो पहचाना नहीं जाता है और वह हैल्थ के लिए बहुत ही इन्जूरियस है। उस को कैसे रिमूव किया जाय इस का भी प्रचार किया जाना चाहिए। इसलिए आप प्रचार कार्य तेजी से करें, केवल सजा से यह एडल्टरेशन बन्द होने वाला नहीं है।

श्री भारत सिंह चौहान (धार) यह जो खाद्य अपमिश्रण निवारण (संशोधन) विधेयक आया है उस का मैं स्वागत करता हूं। इस में कोई शक नहीं कि इस बिल के पास होने पर पूरे तरह से देश में इस का प्रभाव होगा। लेकिन यह जो एडल्टरेशन का काम है वह इस से बन्द हो जायगा यह मैं नहीं जानता हूं। कुछ कदम जरूर बढाए गए है इस सबंध मे लेकिन इफेक्टिव कदम और इस ढग के कदम होने चाहिए कि जिसमे हमारे सामने एक नकशा देश की 60 करोड जनता का सुविधा पहुचाने का और उन को लाभ पहुचाने का होना चाहिए। ऐसे कदम हम को बढाने की आवश्यकता है। लेकिन ऐसा देखा गया है कि पिछले वक्त मे आदिवासी और हरिजनो के उत्थान के लिए भी सेंटर मे डायरेक्टिव हर एक स्टेट को दिए गए लेकिन उस का इम्प्लीमेंटशन नही हुआ। यह 25–30 साल मे हम अनुभव कर रहे है। अब कुछ सख्ती के कदम जरूर बढाए है। जो विधान मे डायरेक्टिव दे रखे हैं उस समय मे, कुछ इफेक्टिव कदम बढाए है। उसी तरह से देश की 60 करोड जनता के जीवन के साथ जो खिलवाड इस देश मे हो रहा है उसको किस तरह से रोक सकते हैं उस के लिए इस बिल मे कुछ कायदे और कानून सामने आए हैं। परन्तु मैं यह नही समझता कि केवल इस कानून के बनाने से यह बुराई दूर हो जायगी। यह सोचना गलत होगा। उनके किस तरह के षडयंत्र देश मे चल रहे हैं यह समय-समय पर हमे मालूम होते हैं। मुझे अच्छी तरह मालूम है कि मेरे यहा इन्दौर मे रबड़ी बिकती थी, वह दूध की रबडी बहुत फेमस हो गई थी, लोग वहा दूर-दूर से उस रबडी को खाने के लिए आते थे। लेकिन बाद में पता लगा कि लच्छेदार रबडी के नाम मे जो वह रबडी बिकती थी उस में दुकानदार ब्लाटिंग पेपर पेपर मिला कर बेच रहा था। इन तमाम षडयत्रो को पकडने के लिए कितनी एफेक्टिव एजेंसी की आवश्यकता है यह हम कल्पना कर सकते है। यह दूध और दीगर चीजो के बारे मे तो हम सोचते हैं लेकिन इस सबध म जो पब्लिक कोआपरेशन की बात कही गई है, ज्वाइट कमेटी मे मंत्री महोदय ने भी इस चीज पर जोर दिया है कि पब्लिक कोआपरेशन की बहुत सख्त आवश्यकता है। जो उस के लिए हमे आखिर उस का क्या रूप देना है पब्लिक कोआपरेशन का ?

जहा तक पचायतो का सवाल है पचायतो के जरिए हम पब्लिक कोआपरेशन काफी अच्छा प्राप्त कर सकते है अगर उन को इस काम के लिए इस्तेमाल किया जाये और उन के सुपुर्द यह काम किया जाय। डिस्ट्रिक्ट पंचायत तहसील पचायत और ग्राम पचायत का एक अच्छा वातावरण हम देश मे पैदा कर सकते है। उन को हम यह बताए कि यह चीज देश के लिए कितनी घातक है और इस तरह से ऐसा एक वातावरण हम खडा कर सकते है। तो मंत्री महोदय इस बात पर पूरी तरह से ध्यान दें। आप के इस कानून के बजाय अगर आप ने अच्छा वातावरण देश मे पैदा किया तो आधा काम आप का उस से हो सकता है। उस के लिए हमे कई तरह के प्रचार की आवश्यकता है। जैसे कि आज

[श्री भारत सिंह चौहान]

हम कई बातें इस तरह की देखते हैं कि संस्कार जिस तरीके से डाले जाते है कि फलां काम करना पाप है तो लोग उस काम को नहीं करते है, लोगो के अंदर जो पुराने संस्कार डाले गए हैं कि यह काम बुरा है, तो लोग उस को नही करते हैं, इसी तरह से इस चीज को भी लाने की आवश्यकता है, लोगो के दिमाग मे यह डाल देने की आवश्यकता है कि यह महान भयकर पाप है। ऐसा अगर आप कर सके तो आप का काम आसान हो सकता है ।

जो कानून के अंदर सुझाव दिए गए है उन के संबध मे इतना ही कह सकता हू कि ज्वाइंट कमेटी की रिपोर्ट को मैंने पढा, मेरा यह कहना है कि विदेशों मे किस तरह से इस का मुकाबिला किया जाता है उस की भी स्टडी करने की आवश्यकता है। उस के कुछ उदाहरण सामने आए है। वहा का मारल किस तरह से उन्होने बढाया और किस तरह से वह अपने यहा इस बुराई को नही पैदा होने दे रहे है यह इस कानून को बनाते वक्त ध्यान मे रखने की आवश्यकता थी। हम ने देखा है विदेशो मे जिस तरह की नैतिकता है, उस के अंदर कितने ही स्त्री पुरुष जाते हैं लेकिन आप को यह देख कर ताज्जुब होगा कि जो चीज जहा रखी है उस को वहा से कोई टच नही करता है उस की चोरी नही होती है। तो ऐसा एक वातावरण पैदा करने की आवश्यकता है। इसलिए मिलावट के मामले मे जिस तरह से विदेशो मे ऐसा वातावरण पैदा किया जाता है उसी तरह से हम को भी करने की आवश्यकता है और तभी हम इस बुराई को दूर कर सकते हैं।

SHRI DINESH CHANDRA GOSWAMI (Gauhati): At the very outset I wish to congratulate Dr. Karan Singh for bringing forward this Bill before this House which, I feel, was long overdue.

In every other country, particularly, a country which professes to be a welfare State, adulteration is the exception. But, since in our country, adulteration of food has become a normal feature unadulterated food has become an exception. A recent analysis conducted by the Industrial Toxicological Research Centre, Lucknow has shown that one of 12,766 samples of coloured food items including milk, non-milk products, sweets, etc 70 per cent of them were tainted with unauthorised coloured toxins and were also otherwise unfit for human consumption. The extent of adulteration in coriander and chillies, according to ones statistics was found, as per a study carried out in Bombay, to be 56 25 and 45.07 per cent respectively which indicates the hazards to which the people of this country are exposed because of adulteration

In this Bill, the problem of adulteration has been sought to be tackled in *four* ways. (i) by changing the mechanics or the rules of procedures regarding the taking of samples etc., (ii) by changing the procedural part of law, (iii) plugging the loopholes and particularly by the introduction of a new definition of the term 'adulterant and (iv) enhanced punishment Nobody can deny that even when a man commits a crime under grave provocation or when he feels that there is a reason to commit a crime, if it causes grievous hurt or death, he is punished with imprisonment for life, but, in a case, where a person, for economic gains, commits a crime not upon one individual but on the entire community, the punishment uptil now given was very minimum. I am very happy that the punishment has now been increased in some cases where it causes injury to health, from one year to six years and in cases where

the injury is likely to cause death or grievous hurt, from 3 years to life. For all these, I support this Bill. But I have some observations to make regarding some of the provisions and I hope the hon. Minister will carefully look into them.

The hon. Minister made a reference to Clause 17. In fact, to-day in the morning, we had a discussion. Earlier the position of the law was that if a company which includes a firm committed a crime, all its Directors and Managers were liable and they could protect themselves from conviction, if they could prove in a court of law that they had nothing to do with the day to day management or had no knowledge about the adulteration for which the prosecution took place. I realise that this leads to difficulty. The Director in Delhi may not know about the happening in the firm in the remote part in Goa, but he had to face prosecution. This has been avoided present amendment but it is going to cause serious hardship in other direction. Under the present amendment what has been done is that a firm may nominate a person as a Manager and in case of prosecution under the Food Adulteration Act that nominee will be held liable. Look to the condition of the country as it exists to-day. Unemployment is rampant in this country these days. The firms, particularly, the retail firms will nominate a person under them or those who are working as Salesmen. They will say, please sign this document by which you have been appointed as a Manager, otherwise you will not be retained as a Manager. He will have to sign it, otherwise he will not be able to maintain his family. We know the instances of the cases where sons of owners responsible for an accident shifted the burden to the driver for prosecution.

In this case, if any firm comes to me to ask for a legal advice so far as this Act is concerned, I can tell them you can save yourself or minimise the chances of prosecution if you ask the salesman to give in writing that your salesmen is going to be your nominee under clause 17. The result will be that man who is not in productive process or has nothing to do with the adultration will be prosecuted and the guilty person will go unpunished. Therefore, I feel that you should thoroughly look into the application of this clause 17. Up till now Directors and Managers were prosecuted. You have tried to save them Of course, you have made a safeguard that if that man can give a proof before the Court of law that he had no knowledge, he will not be convicted.

Under the existing provisions of law the Manager or the Director had to give defence showing that they were not liable to conviction. You have spared a rich man from the hardship. At the same time you have put a very ordinary man in the same hardship. The rich man had the resources to fight in the court of law. The poor man with no resources will be in great difficulty because of clause 17. Hon. minister has given an assurance that he will look into it. I feel he will do so.

Please look to the definition of primary food as given in clause 2.

> "primary food" means any article of food, being a produce of agriculture or horticulture in its natural firm;"

I would like to know the interpretation so far as rice is concerned. Paddy, I know, will be the primary food, even if it were sub-standard is not adulterated. Rice, if it is substandard, is adulterated. Will you please explain the position? I know many cases where hardship was caused.

DR. KARAN SINGH: I will see to it.

SHRI DINESH CHANDRA GOSWAMI: You have tried to help the agriculturists but I have not been able to follow the logic behind it.

If paddy becomes a primary food, I think that rice should also become a primary food and both should be exempted. If not the reasons therefor? If paddy becomes substandard because of natural cause, it is not taken as adulterated but, if the rice becomes substandard because of natural cause, it will be treated as adulterated. What is the rationale behind this I have not been able to follow. Please try to explain the rationale.

Under the existing provision a sample could be taken from the purchaser but the present amendments prohibits taking of sample from purchaser. The legal position is that the Act is attracted only if food is stored for sale and not for more storage. This has been the decision taken by the Supreme Court. That is not altered. The prosecution has to prove that the thing is kept in the store for sale. It is the bounded duty of the prosecution to prove it. Earlier the sample could be taken from the purchaser. Suppose I have gone to a shop and have purchased a litre of mustard oil. The sample could be taken from me and, on analysis if found that it is adulterated, then the sample could be taken from this shop and if both the things tallied, it may be taken firstly that it is adulterated and secondly, this thing was sold to me. Under the existing (new) provision, the sample cannot be taken from the purchaser. This will lead to difficulties—in many cases, you will not be able to prove sale. Suppose you say that it is sold to you; the shopkeeper may say that he has not sold it to me but that he has sold a different thing. How will you prove this? Suppose you go and seize a sample of one tin of mustard oil from a shopkeeper and say that the thing purchased by 'X' from him is adulterated. He may say that 'X' has not purchased the tin from him and the tin which you have seized is not the one which he has sold. You cannot analyse the sample taken from the customer. The Supreme Court has held that keeping that thing is not a offence. (*Interruptions*) I know many cases because I have actually conducted some food adulteration cases. I know the practicalities; do not try to ignore the practicalities. You may disagree with me. What happens is that sometimes in a small retail shop the adulterated product is not kept just at the place of sale. Adulterated product is kept behind the scene—on the backside of the shop. You might ask for the mustard oil but he may say that he will give me by bringing it from the backside of the shop. He would bring it from the backside and not from the side. The shopkeeper may keep the adulterated thing on the backside. He may bring the adulteraed mustard oil from the backside and give it to me. If an adulteration has taken place, you cannot take a sample from the person who has purchased it because he becomes a consumer. Even if you take the sample from the person, he may say 'look here, I have kept this tin for my own consumption. You cannot be allowed to take it from me.' How are you going to prove that it is adulterated? You cannot have the right to take the sample from a person who says that it is kept for his own consumption.

The other point which Mr. Mody raised is this. The sample seized from the person is not given to the accused. I think that sample should given. After all when you are giving the punishment of life imprisonment, let him have the satisfaction that at least he has some safeguard. Earlier, you used to give the sample to the accused. I do not know what difficulty took place in not giving the sample now. Under the existing provision, you have made the report of the director as conclusive proof in all cases except under Sec. 1(A). In a case where a food product

is not injurious to health or it would not lead to death or it would lead to grievous hurt only, then the report of the Director is conclusive. But in a case where the food product may lead to death or to grievous hurt, the report is not conclusive.

DR. KARAN SINGH: Because life imprisonment is there.

SHRI DINESH CHANDRA GOSWAMI: If a report is conclusive, do you think that the authenticity of a report can change according to the sentence? If the report is authentic for awarding a three-month imprisonment, it should be authentic for awarding life imprisonment also. If you have the official conviction it is not authentic for life imprisonment, it is not authentic for three-months imprisonment also. A three-month imprisonment to me is equally serious for me as a life imprisonment is to another man. This is very interesting. Please look at it. I have not been able to follow it. There is section 16.

DR KARAN SINGH: I understand the point. I will reply to it.

SHRI DINESH CHANDRA GOSWAMI: In a court of law, there is the report of the Director which says that it is adulterated and there is the report of the Public Analyst which says that it is not adulterated. In some cases, you will say 'No, you cannot look to the report of the Public Analyst at all because the Director's report is final and conclusive and he can be sentenced to one year, two years or three years' imprisonment.' But in a case where the food was of such a nature that it could lead to grievous hurt or death, you say that though there is the report of the Director, though there is the Report of the Public Analyst, the Court will look into both and come to its own conclusions. If the Report of the Director is open to suspicion and scrutiny, then it should be open to suspicion and scrutiny in all cases, whether the conviction may be three years or less or whether the conviction may be for life. This is for the first time that a peculiar proposition has been laid down that a Report's authenticity is dependent upon the amount of sentence. For the first time, I have seen such a proposition propounded. Up till now the position was not so. Therefore, either you make it conclusive or you leave it to the court to judge the Report accordingly. This is an anomaly to which I am not able to reconcile myself.

One more thing. The time has come for you to look into the specifications also. I have seen many cases where people have been prosecuted. Take, for example, mustard oil. All specifications were correct. But the report says that there were traces of sesame oil. Because it is a foreign product and there are traces of it, it becomes adulterated. There have been cases where persons selling mustard oil have been found guilty because there are traces of other oil in it which are more valuable than mustard oil. In our country where the system of processing is not perfect, sometimes these things take place not because of any culpable intention but because we have not been able to collect these things in pure form from the agricultural field or otherwise we have not yet reached a sophisticated stage. You have said in the case of primary food, that if two primary foods are mixed and it is not injurious, the man is protected. Why not the same thing be extended to specifications also? This is also another aspect which, I hope, the hon. Minister will look into.

MR. DEPUTY-SPEAKER: Shri Sequeira.

SHRI RAMAVATAR SHASTRI (Patna): I had sent in my name.

MR. DEPUTY-SPEAKER: I have not seen your name. I saw the name of Dr. Ranen Sen.

SHRI RAMAVATAR SHASTRI: I had sent in my name. What is this?

MR. DEPUTY-SPEAKER: I will call you later. I saw the name of Dr. Ranen Sen. I was looking on that side also.

SHRI RAMAVATAR SHASTRI: Find out.

MR. DEPUTY-SPEAKER I do not know. What is the use of quarrelling? I will call you (*interruptions*). Why don't you sit down? I was explaining that I saw the name of Dr. Ranen Sen (*Interruptions*). He does not have the patience to listen. I have told him I would call him.

SHRI RAMAVATAR SHASTRI: I want to know how it has happened.

MR. DEPUTY-SPEAKER. I do not know anything.

SHRI RAMAVATAR SHASTRI: You should enquire from the Secretariat.

MR. DEPUTY-SPEAKER: I do not know. Please do not argue. He does not have the patience to understand what I am saying. People do not have the patience to listen to each other.

SHRI RAMAVATAR SHASTRI I have already sent my name....

SHRI S. M. BANERJEE (Kanpur): May I explain that Dr. Ranen Sen's name was sent long before?

MR. DEPUTY-SPEAKER. I was trying to explain. But he is so impatient (*Interruptions*). Please sit down. I am on my legs. I was saying that because I find the name of Dr. Ranen Sen here, I was looking to that side all the time. I had seen Dr. Ranen Sen a little while ago. Then he went out. I did not see him; that is why I was calling others. I thought that Dr. Ranen Sen had gone to the Library to consult some books or reports. Now that he has drawn my attention, I shall call him. What is the point in quarrelling over it?

SHRI RAMAVATAR SHASTRI: I want to know where the slip that I sent had gone. It is happening like this always. You should consult the Secretariat.

MR. DEPUTY-SPEAKER: Order, order. Sequeira.

SHRI ERASMO DE SEQUEIRA (Marmagoa): It is a pleasure to be faced with a Bill which in its provisions deletes the word 'disgusting', because unfortunately the majority of measures we have been considering in this House are precisely of the variety denoted by that word which had been deleted in this law; it is on page 2, that the word 'disgusting' has been deleted.

The hon. Minister knows that it is not the passage of this law which is going to resolve the problem of adulteration because adulteration of food in our country has reached such proportions that the government must accept, to my mind, responsibility for not having acted much more decisively and much more actively even within the existing Act

One of the largest problems that we have is the problem of condiments. I should like to suggest to the hon. Minister that he should consider some kind of legislative measure similar to the FPO for condiments; he should also consider to what extent it would be possible for him, at least in some areas, to prohibit the sale of certain types of condiments unless they are in packaged, branded form. Because if we can do this, the control of the producing centres of those condiments will become very much easier.

It is not possible to keep the entire country under watch; it is too big for that. Therefore, I should suggest to

Dr. Karan Singh that he should also consider devising a system of watch, concentration on and regular inspection of large producing sections, and cyclic watch on the retailing and wholesaling sections. Unless such directives are issued to the inspectors who are going to implement this law, I think they would be going round and round in circles, and occasionally get one or two cases in order to justify their existence. I should suggest a very specific cycle and continuous watch at the producing centres of food articles and less frequent watch on the wholesale section and even less frequent watch on the retailing section. It is only if such a plan is devised in very specific form that you can deal with this problem.

A point has been raised in this House earlier in the debate that in the case of packaged, branded goods it is only the person who packs and brands that should attract the mischief of the penal provisions of the law and not the wholesaler or the retailer who only carries those products for sale. I fully endorse this point of view and I should suggest for the consideration of the hon. Minister one additional provision which will be of considerable benefit in controlling and stopping adulteration: government should acquire for itself the right by law to direct any manufacturer to recall from the market any product which is found to have been adulterated on inspection and analysis. I do not think they have this right at the moment. It is a very necessary right. If you find a particular batch of a particular product is adulterated anywhere, Government should ask the manufacturer to recall the entire batch from the market within a specified time limit.

14.00 hrs.

Mr. Goswami raised many points. One point is about the possibility of seizing the goods from a purchaser or a person who is in possession of adulterated goods. I think the power of seizure must extend to the purchaser and possessor of adulterated goods. If this power is not there, the lacunae become much wider than what are existing in the original Act. So, this should be included in this Bill.

This is the last day of this session. It is a credit to the House that in the middle of this disaster of an interruption to the democratic process, we have been able to come here and talk to each other. For this, the credit must go to the opposition, because notwithstanding what the Government is trying to do to destroy democracy, we in the opposition are trying to save democracy.

The term that the people gave them, ends on 18th March, and from that day onwards they lose their legitimacy. They know how difficult it is to govern without legitimacy. I submit that in all humility for this is what Congress has lost, they should go to the people and seek a fresh mandate. As Mr. Banerjee rightly says, after 18th March, it will be an adulterated government !

SHRI K. SURYANARAYANA (Eluru): Sir, this is a very important Bill and everybody is welcoming it. The previous Acts are there, but there is always scope to escape from all the Acts. We are not lawyers and we are not liers also. People are suffering. Innocent consumers cannot go to the court everytime. They may go to the Health Department to some officer and make a complaint. Government should take care to prevent adulteration not only of foodstuffs but other consumer articles also. People take endrin but do not die because it is adulterated ! Insecticides are sprayed but the insects do not die because the insecticides are adulterated. So, deterrent punishment should be given. If a person is killed, you give death sentence to the murderer. Why not award death sentence to those who adulterate the foodstuffs and other consunmer articles? This can be considered in the next amendment.

[Shri K. Suryanarayana]

The big merchants and big producers always escape and the small dealers and small shopkeepers are prosecuted and convicted. Before the Select Committee the small shopkeepers have given evidence and they have also send some good suggestions. One of the suggestions made by them is that the following proviso should be added to sub-section (ia) (m):

"Provided also further that where the quality or purity of the article being primary food, has fallen below the prescribed standards or its constituents are present in qualities not within the prescribed limits of variability and where such article is a substandard food but not an admixture in the primary foods and in either case solely due to natural or technical causes and beyond the control of human agency and not injurious to human health, then, such article shall not be deemed to be adulterated within the meaning of this sub-clause or Act."

I have no knowledge of this. I simply want to represent this for consideration.

As Mr. Goswami has pointed out that driver is being punished and the owner is being allowed to escape, who has actually committed the offence, the same thing is happening in the case of sugar factories also. The General Manager and the Managing Director are being allowed to escape and the small officer is being punished. Some sugar was being exported and fortunately, a bag was broken at the Vizag port and the sugar was found adulterated with ammonia sulphate. For this, the lorry-walla and the driver were prosecuted and the General Manager of the factory was let off.

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष जी, मंत्री जी ने खाद्यान्न मिलावट निवारण (संशोधन) विधेयक को सदन के सामने पेश करते हुए जिन उद्देश्यों की चर्चा की है, वे बहुत ही सही हैं, उनका पूरा-पूरा पालन होना चाहिये। इस संशोधित विधेयक का समर्थन करते हुए मैं कुछ बातें निवेदन करना चाहता हूं।

यह सर्वविदित है कि जो लोग खाद्यान्न दूध या और खाने-पीने की चीजों में मिलावट करते हैं, वे देश और जनता के बहुत बड़े दुश्मन हैं और जो लोग मिलावट की चीजों का उत्पादन करते हैं वह तो उनसे भी बड़े गुनाहगार और देश के लिये खतरनाक हैं। उनको नियंत्रित करने के लिये और समाज विरोधी कार्य करने से रोकने के लिये इस कानून मे जो व्यवस्था की गई है, उसका सबका स्वागत होना चाहिये और इस बात का प्रयास होना चाहिये कि इसे शीघ्रातिशीघ्र और सख्ती से लागू किया जाये।

यह कहा गया कि रबड़ी में स्याही-सोख की मिलावट होती है, जो स्वास्थ्य के लिये कितना हानिकर है। बच्चे आइसक्रीम खाते हैं, और दूसरी चीजें खाते हैं, मसाले घरों मे इस्तेमाल होते हैं, धनिया, मिर्च, हल्दी और दूसरे प्रयोग के मसाले, इन सब मे मिलावट होती है। यहा तक सुनने मे आता है कि धनिये मे घोड़े और हाथी की लीद मिलाकर उसको पीसा जाता है। इस तरह से तमाम चीजो मे मिलावट होती है। यह गुनाह है और यह पूंजीवादी समाज का अभिशाप है। पूंजीवादी समाज मे बड़े-बड़े धन्ना-सेठ व्यापारी और गल्ला चोर हैं, उनका एक ही मकसद होता है कि ज्यादा-से-ज्यादा मुनाफा कमाना। इसके कारण जनता को चाहे जो भी नुकसान हो, वह मर जाये या जिन्दा रहे, इसकी परवाह उन्हें नही होती है। उनको तो मैक्सिमम प्राफिट होना चाहिये।

किसी भी समाजवादी देश में मिलावट की बात नही है। मैंने एक देश मे, सोवियत यूनियन में, जाकर देखा है कि वहां सब चीजे शुद्ध मिलती हैं। यद्यपि मिलावट पूंजीवादी समाज का अभिशाप है, लेकिन पूंजीवादी समाज में भी इसको ज्यादा से ज्यादा रोकने का प्रयास होना चाहिये और मुनाफाखोरो के खिलाफ कडी कार्यवाही करनी चाहिये, जो कि जनता के स्वास्थ्य और ज़िन्दगी के साथ खिलवाड करते हैं।

इस बिल मे कमेटी का उल्लेख है। सरकार ने उसमें कई तरह के प्रतिनिधियो को शामिल करने की कोशिश की है। होटल उद्योग के प्रतिनिधि को भी उसमें लिया जायेगा। कई माननीय सदस्यो ने उसका विरोध किया है। क्या होटलो में काम करने वाले कर्मचारी मिलावट को रोकने मे सहायक नही होंगे? मत्री महोदय ने उनको क्यो भुला दिया है? य लोग मिलावट को रोकने मे ज्यादा सहायक होंगे। वे मालिको के गलत काम को पकडेंगे। इसलिये उनके प्रतिनिधियो को भी शामिल करना चाहिये।

आल-इडिया मैडिकल एसोसियेशन एक बहुत ही उत्तरदायी सगठन है। मत्री महोदय ने उसको भी क्यो भुला दिया है? मालूम नही कि प्रवर समिति में इस तरह की चर्चा आई या नही; अगर आई थी, तो इस सगठन के प्रतिनिधियो को शामिल क्यो नही किया गया है? उन्हें हर स्तर पर शामिल किया जाना चाहिये। उसी तरह छोटे-छोटे खुदरा दुकानदार, किराना मर्चेन्ट्स, मिलावट को रोकने में सरकार की ज्यादा से ज्यादा मदद करेंगे और बतायेंगे कि कैसे, कहां-कहा और किस प्रकार मिलावट की जाती है। उनके प्रतिनिधियों को भी शामिल नही किया गया है।

अमृतसर के किराना मर्चेन्ट्स ने मुझे लिखा है कि वे इस बारे मे सरकार की मदद करना चाहते हैं कि कैसे जनता के दुश्मन बडे-बडे व्यापारी मिलावट की चीजे बनाते हैं और मिलावट करते हैं। इसलिये उनके प्रतिनिधियो को भी शामिल करना चाहिये। इस तरह मिलावट को रोकने में सरकार को ज्यादा मदद मिलेगी। और भी सोचा जा सकता है कि सरकार जनता के प्रतिनिधियो का समर्थन कैसे हासिल कर सकती है।

जहा तक नमूने का सम्बन्ध है, यह कहा गया है कि हर चीज के तीन नमूने लिये जायेंगे। प्रश्न यह है कि 4 नमूने लेने मे क्या एतराज है। इस विधेयक में कहा गया है कि विक्रेता को नमूना नही दिया जायेगा। मेरा सुझाव है कि 4 नमूने लिये जायें और उनमे से एक वैंडर को भी दिया जाये। इसके अतिरिक्त दो की जांच साथ-साथ की जाये, नमूनो को दो लैबोरेट्रीज में भेजा जाये, ताकि वहा भ्रष्टाचार न चले। एक लैबोरेटरी मे भ्रष्टाचार चल सकता है, इसलिये दो लैबोरेटरीज के पास भेजा जाये और एक नमूना स्वास्थ्य अधिकारी अपने पास रखे, ताकि हम मिलावट को पकडने मे सक्षम हो सकें और अपराधियो को उचित सजा दे सकें।

कनाडा और अमेरिका आदि विदेशो से जो गेहू आता है, उसमे से कई बार गेहू सब-स्टैंडर्ड होता है। इस विधेयक में इस बात की कही चर्चा नही है कि उसकी पकड कैसे होगी। कुछ दिन पहले कृषि मत्री, श्री जगजीवन राम, ने कलकत्ता मे पश्चिमी बगाल के खाद्य मत्री से बातचीत की थी। खाद्य मत्री ने उनका ध्यान इस प्रश्न की ओर दिलाया और उनको बताया कि कनाडा से घटिया किस्म का गेहू आया है, जिसको खाने से लोगो के स्वास्थ्य पर असर पड

[श्री रामावतार शास्त्री]

सकता है, इसलिये उसके बारे मे कोई कार्यवाही होनी चाहिये। इस विधेयक से यह पता नहीं चलता है कि बाहर से जो सब-स्टैंर्ड गेहू आया, उसके प्रति सरकार क्या नीति अपनायेगी, क्या उसको मिलावट समझा जायेगा या नहीं ?

लोग पान खाते है। कानपुर का पान का मसाला हिन्दुस्तान मे प्रसिद्ध है। शायद दुनिया मे भी प्रसिद्ध हो। उस पान के मसाले में मिलावट की जाती है। सैकीन उस मे डाली जाती है। और वहां इस तरह के दो ढाई हजार लोग है जो यह धन्धा करते हैं। उस मे मिलावट होती है, चीनी मे मिलावट होती है, किस मे नही होती ? तो यह जो कानपुर के अदर मसाले में गडबडी होती है उस को रोका जाना चाहिए। इस तरीके से अगर हम ने किया तो जरूर हमारा काम सफल होगा और जो हम ने सुझाव दिए है उन के अनुसार आप ने सुधार किया तो और अच्छा कानून हो जायगा। हम लोग यहा सुझाव इसीलिए दे रहें है कि अच्छा कानून बने। और दोषी को छोडा न जाय। अभी तक का अनुभव यही बताता है कि छोटे-छोटे दूकानदारो को पकड कर दिखलाने के लिए सजा दे देते हैं और जो बडे-बडे मिलावट करने वाले, चोरबाजारी करने वाले व्यापारी है जो इसी तरह के धन्धे से लखपति और करोडपति बने हैं उन को छोड दिया जाता है। अगर आप के पास इस की कोई फिगर हो कि बडे-बडे लोगो को कितनो को आपने पकडा है तो बताइए और नही इस समय बता सकें तो अगले सेशन मे जरूर बताइए कि इस तरह के कितने लोगो को पकडा। आप ने सजा रखी है, हम उस का समर्थन करते है। हम ने कई जगह बताया है कि और ज्यादा सजा, सख्त सजा कीजिए, रिगरस इम्प्रिजनमेंट कीजिए, सिम्पल मत कीजिए, लेकिन जो मिलावट वाला सामान बनाते हैं उन को तो फांसी पर लटका ही दीजिए।

SHRI D. D. DESAI (Kaira): Mr. Deputy-Speaker, I would like to congratulate and compliment the Minister for bringing such a comprehensive Bill before the House, which covers a wide spectrum. What we would be talking may be partly some aspects of care that may be taken in the exercise of its implementation and certain advance that may be required for the next step.

After all, we eat food for the purpose of nutrition and life, longer life preferably. It has been well-established that there are quite a large variety of food available in India which help longevity For example, there are some people living in the Himalayan regions, known as *hunsas*, most of whom live up to hundred years of age. The cause of their longevity is nothing else but simple and wholesome food. One of the leading health and nutrition specialists of the earlier century, Dr John Mackinson found that the poor longevity in India of 35 to 40 years is essentially on account of the poor nutritional value of several of our foods He particularly drew attention to the low did any content of the food in Madras and eastern part of India. Of course, I am not trying to make our Health Minister a specialist in nutrition But ultimately, when our poor people spend money, for buying food, they do not want to die because of taking the wrong things which have poor nutritional value

There is one vital aspect which we have to consider in this connection. There is a large number of firms or industries which manufacture adulterants meant only for adulteration. There are some wholesalers in this industry who sometimes operate equipment with 100 hp motors. They grind soap-stone or

manufacture masala out of animal droppings. There are people who manufacture out of organic substance, pulverize components which have additive value and the purchaser has to find which particular adulterant is most suited to a perticular commodity with which he wants to integrate.

The Minister, as a precaution, will have to start with adulterants, as soon as he is free. These adulterants are the first batch of people whom he will have to take control of, because the ultimate culprit would be the person who has mixed these things. But then the source is the key where everything has to be tackled and I would strongly urge about it.

We are aware that a large number of colours go for adulteration. For example, my friend was talking about *mirchi* (chilly). This humble chilly was sold at a price of Rs. 20 kg. It was a thriving trade. These organic substances particularly those which are made from the straws and other organic stems used to be pulverized and coloured by them and the scents were manufactured. This is a most thriving business. The scent is available for every product. In other words, you do not have to grow chilly. It is made out of strow and dead plants. These plants are pulverised, coloured and scent of *mirchi* is added to them for the manufacture of *mirchi*.

For every product, there is a technology and these technologies are widespread and will have to be controlled at the very source. (*Interruptions*).

He is right because I am in food business. I happened to be the President of the All India Food Manufacturers' Preservers' Association. To that extent, we have to deal with these things. We warned all other members by saying that if they do adulteration they will be chucked out of the list of the membership of the All India Food Preservers' Association (*Interruptions*).

MR. DEPUTY-SPEAKER: We should appreciate that we get all this information which may not be in the knowledge of Laymen like ourselves.

SHRI D. D. DESAI: What we are talking is not our first hand experience, but this information comes to us, and it is our responsibility to pass it on to the Minister for such examination as he can do, because we have no machinery; we are not equipped to look into the detail of these possibilities. There is a Food and Drug Administration in the United States. This Administration is doing a wonderful job. Some of our officials or some officials of the FDA may be called to India. I would prefer that they may be called here. My hon. friends were talking about the Soviet Union. As far as socialist countries are concerned we are not having anything against any particular country or anytbody. But, by and large, the food problem is more complex in societies where multiple food is there and sometimes where food value has been zeroed because of long trading process which they are subject to.

I would say that the best party to lend support or to lend the technique of catching adulteration is probably the FDA, to my knowledge; there may be a possibility of any other organisation if anybody can suggest. If we ask for two experts for assignment for one or two years, I think our food adulteration can be put to an end.

SHRI K. MAYATHEVAR (Dindigul): Mr. Deputy-Speaker, Sir, I support this Bill. I congratulate the hon. Minister of Health for bringing this Bill. I hope the Health Ministry's Minister is healthy for implementing this Bill effectively. This food adulteration and drug adulteration are very henious crimes. The offenders like adulterants and adulterators are both anti-national and anti-social without any doubt. There are many kinds of adulterations in Tamil Nadu. I have

(Shri K. Mayathevar.)

heard many factories which are there in Ramanathapuram. I do not know what has happened to the Minister now.

There are factories running for the manufacture of small stones in Tamil Nadu. They are situated in Ramnad district of Tamil Nadu, in Sivakasi, Virudhunagar and in some other towns. These factories are producing small stones to be mixed with rice. I have been affected by it. Many south Indian people are affected by it. Therefore, I would request the Government to take very stringent action on these anti-national and anti-social elements, the adulterators, and about adulterants also.

There are so many kinds of adulterations. There is adulteration in milk. Now-a-days, I cannot say whether the milk vendors are pouring water into milk or they are actually pouring milk into water. This is the extent of adulteration. I have seen it in Tamil Nadu and also in Delhi. There is adulteration in tea leaves and in coffee powder; there is adulteration in mutton by mixing beef, there is adulteration in ghee. You are all aware of these things. There is adulteration in cold drinks also, specially in Fanta. I have taken Fanta and I have found it to be adulterated.

Adulteration is no doubt a heinous crime. It should be put a step to by the Government under these special circumstances, under the Emergency. Tamil Nadu is now under the President's Rule. I would ask the hon. Minister to advise the Governor and the Collectors in Tamil Nadu to implement the provisions of this Bill very strictly and to punish adulterators in rice and in many essential commodities. Even in drugs, there is adulteration. Many children, men and women are killed on account of large-scale adulteration in Tamil Nadu. But the action is very poor. The baby food is also adulterated. More and more babies are dying now.

In the case of drugs, I would request the hon. Minister to bring an amendment in the Drugs Act, to punish severally the adulterators in drugs, to give the maximum punishment of death sentence to the offenders under the Drugs Act for killing human beings. As my hon. friend very correctly pointed out, the adulteration is not an offence which is suddenly committed by these people. It is done in a pre-planned manner with an ulterior motive, with fraudulent intentions and with most criminal intentions. Even ordinary murderers under Section 302 of the IPC are given death sentence. But here the murder is pre-planned, with all preparations, with an ulterior motive and with criminal intentions. There should be death sentence for such people. These people are anti-national and anti-social people. Therefore, the maximum punishment should be given to them. The minimum punishment to these people should be not less than eight years. The dacoits and robbers under Sections 392, 395 and 397 are given the minimum punishment of eight years. Therefore, the minimum punishment should be eight years. I would say that the maximum punishment, the death sentence, should be given to adulterators and even to black-marketeers and hoarders. They are anti-national and anti-social elements.

With this pleading, I congratulate the hon. Minister for bringing this Bill and I would request him to see that it is properly implemented. He should also bring an amendment to the Drugs Act. Tamil Nadu is under the Central rule, the President's rule. You must implement this. So far, they were suffering at the hands of the

corrupt Government. If you implement it, they will be happy. I welcome the Bill.

श्री मूल चन्द डागा (पाली) : उपाध्यक्ष महोदय, मिलावट के बिना क्या बन सकता है, मैं समझ नहीं सका। हर काम में मिलावट होती है। मिलावट करना गुनाह नहीं है, मिलावट छिपाना गुनाह है। मैं समझता हूं कि बिना मिलावट के इन्सान पैदा नही हो सकता। कोई भी चीज बिना मिलावट के नही हो सकती। कानून में यह लिखा है कि मिलावट कर के छिपाना गुनाह है। लेकिन आप छिपी हुई चीजों को नहीं पा सकते क्यों कि आप के पास मशीनरी नही है। मै आप की रिपोर्ट पढ़ता हूं।

It was brought out in a convincing manner that the funds made available for the purpose, whether from the Centre or the States, were hopelessly inadequate. The first three Five Year Plans did not make mention of the Food Adulteration Act.

आज हिन्दुस्तान में एक और अजीब बात है, लागू आप नहीं करते हैं बल्कि राज्य सरकारें करती है, और उन के पास पैसा नही है। और राज्यो में लागू करता है एक छोटा सा हैल्थ इंस्पेक्टर जो 200 रु० तनख्वाह पाता है। खाद्यों में मिलावट बढ़ी? क्योंकि इंस्पेक्टर लोग दुकानदारों से कमाते हैं। जो ईमानदार दुकानदार है जो पैसा नहीं देते उन्हीं का इंस्पेक्टर चालान करता है। इसलिये इंस्पेक्टर को खिलाने के लिये दुकानदार मिलावट करता है। हिन्दुस्तान में मिलावट क्यो हुई? क्योकि म्युनिसिपैलिटी में छोटे छोटे हैल्थ इंस्पेक्टर को आप ने अधिकारी बना दिया आप के पास एजेंसीज नहीं है, अच्छी लेबोरेटरीज नही है। और धरती भी आज वह चीज पैदा नहीं करती जो पहले पैदा करती थी। आप मिलावट के स्टैन्डर्ड को पुराने ढर्रे पर ही नाप रहे हैं। आज वह जमीन नहीं रही है, साग, भाजी और दूध नही रहा है जो पहले हुआ करता था। लेकिन स्टैन्डर्ड आप ने वही पुराना रख रखा है। मिलावट रोकने के लिये आप को नई मशीनरी लागू करनी चाहिये, जिस के लिये आपके पास साधन और पैसा है नहीं और राज्य सरकारें लागू करती नहीं।

अदालत में आप का मुकदमा लड़ने वाले कौन हैं? कोई नहीं। और हम लोग जो वकील होते हैं अगर वह मुकदमा लड़ते भी है तो कोई गवाही देने नही आता? इस की वजह से लोग बरी हो जाते हैं। आप यह कानून बना लें, शाम को रेडियों में खबर आ जाएगी कि मंत्री महोदय ने बड़ा अच्छा कानून बनाया, हमारा नाम तो गायब रहेगा। लेकिन होगा क्या? कोर्ट के अन्दर कोई भी गवाही देने नही आता। मै माननीय सदस्यों से जानना चाहता हूं कि कभी फूड अडल्ट्रेशन ऐक्ट के अन्तर्गत कोई गवाही देने गया उपाध्यक्ष महोदय, अकबर और अशोक होटल में आप कई बार गये होंगे, क्या कभी इन का चालान किया गया। रेलवे कैन्टीन का या डी०एम०एस० का चालान कितनी बार हुआ, मैं जानना चाहता हू। रेलवे में थर्ड क्लास खाना मिलता है, होटल्स में अडल्टरेटेड चीजें मिलती हैं, लेकिन उन का कभी चालान नही हुआ। फूड इंस्पेक्टर छोटे छोटे लोगों की दुकान पर घूमता है और उन्हीं का चालान करता है। इसलिये मेरा कहना है कि कानून बनाना बेकार है क्योकि आप के पास मशीनरी नही, और आप उस का कुछ नहीं कर सकते।

एक और अजीब बात है इस कानून में मैंने पैडी तैयार की जो ज्यादा बरसात आने से बिगड़ गई सब-स्टेन्डर्ड बन गई, और उस पैडी को राइस में कन्वर्ट किया तो आप ने चालान कर दिया कि यह सब-स्टैंडर्ड है।

[श्री मूल चन्द डागा]

मैं कहता हूं कि मैं ने पैडी का राइस बनाया। इसी तरह से बना है। अगर वह सब स्टैन्डर्ड है, तो उस का चालान नहीं होगा लेकिन अगर चने के दो टुकड़े कर दिये जाते हैं और वह दाल बन गई तो सब स्टैन्डर्ड होने पर इनजूरियस टू हैल्थ कह कर चालान कर दिया जाता है। यह आप का क्या तरीका है?

इस कानून के अन्तर्गत जो आप ने शर्त लगाई है, वह मैं बताना चाहता हूं। प्रोसीक्यूशन के अन्दर बर्डन किस पर है। मैं ने कई बार कहा है कि ऐसे मामलों मे जो प्रूफ का बर्डन है, वह आप कम्पनी पर डालिये। कम्पनी को प्रूव करना चाहिए कि ये ये चीजे है जिन मे यह चीज बनी है और ये हैल्थ के लिए इन्जूरियस नही है।

अब आप घंटी बजा रहे हैं, इसलिए मैं और ज्यादा नही कहना चाहता और मेरे जो एमेण्डमेंट्स है उन पर मैं बोलूगा, लेकिन मैं इतना कह कर समाप्त करता हूं कि मिलावट तभी रोकी जा सकती है जबकि सरकार की मशीनरी और सारी राज्य सरकारे सजग होंगी।

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Deputy-Speaker, Sir, I think, the House will agree with me that the Health Minister, Dr. Karan Singh, while piloting this Bill to us made a very brilliant and studied presentation and explanation on the various provisions of this Bill and I wish to join other hon. Members in congratulating warmly the Health Minister for the initiative and imagination with which he has been dealing with this terrible problem.

This is a good measure in the right direction. Because of the fact that several of the hon. Members who have spoken before me have touched on the various aspects of the law, I would rather view this piece of legislation more from human and philosophical angles than from a purely legalistic angle.

A piece of legislation, such as this which is a social economic legislation, obviously is to be preceded by public opinion and backed up too by public opinion. I understand that it is only the pressure of the public opinion which has compelled Government to proceed in the right direction and they have rightly gone, but it is the continue pressure of public opinion which will make the Government find out what are the effective ways and provisions in the legislation and what are the defective things which can be later on removed by further amendments. I hope, the Government will have a constant eye on how the public opinion reacts to the various legal and penal provisions contained in this measure.

The post-war period, particularly since 1945, has been a period of tremendous advances in science and technology, but the trouble is that though science and technology have advanced, that advance is unaccompanied by an equally good advance in spirituality and truth. When science and technology unaccompanied by spirituality and truth go ahead, they create havoc sometimes and one of the havocs created is what we see today, this adulteration in the spheres of food articles, drinks etc This unsocial attitude and profiteering mentality, about which the Minister made a very right reference in the beginning of a very small minority has a tremendous impact on a big majority, the entire nation These unsocial and anti-social attitudes and activities have to go, but they cannot go merely by legislation, they will ultimately go by the pres-

sures of a very vigilant and continuously vigilant public opinion and enlighten public opinion.

As I said, I was going to view this piece of legislation from a philosophical angle I feel that today ours is not only an atomic age, this is also an age of apathy Coupled with that, we now see that it is the age of adulteration, pollution, an age of abject pollution We find that citizens, even when their interests are concerned, are not interested in trying to eradicate those diseases, or those dangers or defects Ultimately, the State cannot do beyond a certain point, it is the citizens' rightful vigilance and active involvement which can really do a lot in terms of eradicating some of these social evils Do we find adulteration only in food articles or only in drinks? I dare say adulteration and pollution are found these days in each and every field Take the political field the economic field the social field the educational cultural literary and even religious fields in fact no field of human activity is today left out where there is not some kind of adulteration practised The trouble, therefore, is that when we are sitting in judgment over those food adulterators we are forgetting that in every walk of life where we have certain things to project or inject into human activity, we are also responsible for a number of such crimes of adulteration Therefore, I feel that when we look at this problem we should not forget to look at this problem in its totality also

When it comes to food and drinks adulteration I want to say that it is not only injurious to health but it means slow and systematic and daily death Death may come at the end but before it comes finally the man is failing in health failing in the energy and failing in exhibition because of the adulteration

Therefore I feel that if you want to tackle this problem, then the Government must also through this legislation do two things. The Minister has already made a mention of it First is the implementation Implementation must be quick and speedy and he must guard against possible increase in corruption also because, after all, when the state machinery or any machinery, for that matter, has to implement, we must not empower that machinery with such powers that the honest and the innocent are harassed I know the Minister himself said in the beginning that undue punishment and harassment will not be done to honest traders in this regard Therefore, I want that the implementation should be quick, and at the same time proper safeguards should be there to see that corruption does not creep in a greater amount

One word about punishment I hope when a case is detected tried and proved of a grave act of adulteration, then the punishment must be definite heavy and exemplary because unless the punishment is exemplary it will not act as an effective deterrent

A word about voluntary agencies and I have done Voluntary agencies, social organizations and public-spirited men and women have a great part to play in all these spheres and I hope the Government will do everything in their power to see that voluntary agencies and the public spirited individuals are given all encouragement and assistance because although the State's hand is bound to be and must be a watching hand on checking the evil and it has to be a helping hand the citizen s hands and responsibilities must be greater and stronger It is from that angle that the consumers' interests the consumers' councils and the consumer movements as one sees in countries like the UK, USA and the Scandinavian countries must also be helped to develop in our country

SHRI B R SHUKLA (Bahraich) I welcome the provisions of this Bill by and large But there are certain very glaring defects in this Bill

[Shri B. R. Shukla]

Under the existing Section 11, there is a provision that the sample taken by the Food Inspector shall be divided into three parts—one will be given to the person from whom the sample is taken, the other is sent to the local health authorities and the third one is sent for public analysis to the Public Analyst. The provision of giving a sample to the person concerned is a safeguard against manipulation and misuse by the Food Inspector and persons connected with his Department. This salutary safeguard is sought to be taken away by the amending provision of this Act. Therefore, it should be restored because the government's intention is to prevent harassment of the honest traders.

Secondly, 'adulterant' has been defined in this Bill as 'any material which is used for adulteration.' This is a circumlocution. What is adulterant? An article used for adulteration. What is adulteration? That has not been defined in this Bill at all. Only 'adulterated article' and 'adulteraetd food' have been defined and even if water is mixed with milk, then water is used as an adulterant for adulteration of milk. Now, therefore, if water is stored, it will also fail within the definition of 'adulterant' If sugar is mixed in barfi in excessive quantity and the khoya is not mixed as prescribed, then sugar can also be said to have been used as an adulterant Therefore, my submission is that there is no necessity of defining 'adulterant' afresh in this Bill. In the old Bill it has been laid down that any material which is used for adulteration can be seized and can also be taken care of by the Food Inspector.

The third thing is that primary food has been defined in this Bill 'Primary food' means any article of food, being a produce of agriculture or horticulture in its natural form; if two articles of primary food are mixed together and if they are sold under a particular name, then it will not be deemed to have been adulterated. That is the explanation added in this Bill. Kesari Dal is responsible for the paralysis of limbs in many parts of Northern India such as Bihar and U.P. Many cases have come to the notice of the Medical authorities in this regard. Recent occurrences in an epidemic form were reported from the District Unnao. If Kesari Dal is mixed with Urad and Harar Dal, will it not come under the definition of adulteration?

Another uncomfortable feature is the insertion of a provision in Section 17. Though it is a welcome provision as in certain cases companies are also made punishable under this Act. But this theory of nomination of a person by the Company as the person incharge will create many difficulties I would invite the attention of the hon. Minister concerned that this Section about the punishment of companies for the offence committed under this Act should be drafted on the lines of the provisions contained in the Essential Commodities Act. Therefore, my submission is that the Bill has been very hurriedly brought. Though it was committed to the Joint Committee, yet there are features which need rethinking and re-drafting. This Bill has been taken up at the close of the Section. So I extend my support to the Bill in those respects which are beneficial to the country.

श्री राम हेडाऊ (रामटेक) · उपाध्यक्ष जी, मनुष्य जीवन से संबंधित एक महत्वपूर्ण बिल म ी महोदय लाये है, जिसका समर्थन करने के लिये मैं खडा हुआ हूं । व्यापारी दल हमेंशा अधिकाधिक पैसा कमाने की इच्छा रखता है और पूंजी प्रधान समाज व्यवस्था में यह बात चलती आई है ।

अधिक पैसा कमाने के लिये व्यापारी वर्ग जो मिलावट का जरिया अपनाते हैं, इसको हमें बुनियादी अवस्था में ही रोकने की कोशिश करनी चाहिये ।

इसमें दो विभाग हैं एक तो उत्पादन और दूसरे वितरक । खेती से जो उत्पादन होता है, उसमें कोई मिलावट होती है, मैं ऐसा मानने के लिये तैयार नहीं हूं । छोटे काश्तकार आज भी देहात में रहते है और वह बड़ी ईमानदार कौम है । इसलिये छोटे काश्तकार मिलावट करते हैं , यह कहना ठीक नहीं है । लेकिन जो वितरक होता है, वह काश्तकार से लेने के बाद मिलावट अधिक करता है । हम तो यहा तक देखते है कि जो कंट्रोल की सस्ते अनाज की दुकाने है, वहा से जो सस्ता अनाज मिलता है, उसमें मिलावट की जाती है । हमने महाराष्ट्र में देखा है कि माइलो मे धतूरे के बीज मिलाये जाते है, गेहूं में लोहे के छोटे छोटे टुकड़े और कंकड अधिक मात्रा में पाये गये हैं । यह जो मिलावट होता है, चाहे प्रीप्लान करके किया जाता हो, इसके लिये बड़े प्रतिष्ठान जिम्मेदार होते हैं । इसका हमे पता लगाना चाहिये । अगर हमारी मशीनरी ठीक नही होगी, तो इसका पता नहीं लगने वाला है और परिणाम यह होगा कि छोटे व्यापारी सजा भोगेंगे और उन के साथ अन्याय होगा । निरपराध छोटे आदमियों को सजा नहीं मिलनी चाहिये, इस दृष्तिकोण से हमारी मशीनरी पर, हमारे सरकारी अफसरान पर, भी जिम्मेदारी डाली जानी चाहिए । बहुत सी म्यूनिसिपल कमेटीज में सम्बन्धित अधिकारियों का दुकानों आदि से महीना बंधा होता है और वे वहां से हर महीने पैसा लेते है, और इस प्रकार मिलावट को प्रोत्साहन देते है, ऐसे अधिकारियों को भी कड़ी सजा देने की व्यवस्था होनी चाहिए । हमारी मशीनरी में एक फ्लाइंग स्क्वैड भी रखा जाना चाहिए, जो राज्य में कहीं भी आ कर निरीक्षण कर सके और जांच कर सके

जो एडल्ट्रेशन के केसिस पकड़े जाते हैं, उन में अपराधियों को अदालत में वकीलों के जरिये अपनी पैरवी करने की सुविधा नहीं देनी चाहिए ।

अगर एक बार भी कोई एडल्ट्रेशन का माल पकड़ा गया, तो उस के ट्रेड मार्क को हमेंशा के लिए कैंसल कर देना चाहिए । इन शब्दो के साथ में इस बिल का समर्थन करता हूं :

श्री जगन्नाथ मिश्र (मधुबनी) : उपाध्यक्ष महोदय, राष्ट्र के व्यापक हित में इस विधेयक को इस सदन में विचारार्थ पेश करने के कारण मंत्री महोदय धन्यावाद के पात्र हैं । मैं यह नहीं कहता कि हमारे देश में सामाजिक या आर्थिक बुराईयां नहीं है ; लेकिन यह कहने में मुझे कोई संकोच नहीं है कि जितनी भी बुराईया है, उन में खाद्य अपमिश्रण ,एडल्ट्रेशन, सब से बुरी चीज है । इसने राष्ट्र का कितना अहित किया है और जन जीवन के साथ कितना खिलवाड़ किया है, इसकी जितनी चर्चा और व्याख्या की जाये; उतनी ही कम होगी । पैसे के लालच में एडल्ट्रेशन कर के लोग एक रात में धन्ना सेठ बन गये हैं । इस के कारण जानता की जान मारी गई है, आज तक इस को हम ने नजर-अंदाज किया है आजादी के 27 वर्षों में हम ने अभी तक आज जैसा कोई कदम नहीं उठाया है । यह सही है कि 1954 में एक कानून पास हुआ था, लेकिन और कानूनों की तरह उस का ठीक से पालन नहीं हुआ । शायद इस में सरकार का दोष रहा हो, या शायद जन सहयोग का अभाव रहा हो । कारण कुछ भी हो, लेकिन यह तथ्य् है कि उस कानून का कार्यान्वियन नहीं हुआ ।

[श्री जगन्नाथ मिश्र]

इस विधेयक को पढ़ने से और उस के शब्दों के भीतर जाने से ऐसा लगता है कि मंत्री महोदय इस बात के लिए दृढ़ प्रतिज्ञ है, उन्होंने यह संकल्प ले लिया है कि इस बुराई को जड़ से हटा देना है और इस देश को पवित्र कर देना है।

इस विधेयक की कितनी आवश्यकता है, मैं इस की तरफ आप का ध्यान आकर्षित करना चाहता हूं। तेहरान में रोटी बेचने-वालों को सरकार की ओर से आटा मिलता है। संयोग से एक दुकान के बारे में सम्बद्ध अधिकारी को पता चला कि उस में कुछ गड़बड़ी है। आप को यह सुन कर हैरत होगी कि उस को क्या सजा दी गई। उस को कहा गया कि वह तेहरान में कोई व्यवसाय नहीं कर सकेगा। इस के मानी ये है कि अगर उसको जीविका की चिन्ता है, तो वह तेहरान छोड़ दे और किसी अन्य स्थान पर जा कर व्यवसाय करे।

हमारे यहां एडल्ट्रेशन की कितनी व्यापकता है, अगर मैं इस की चर्चा करूं, तो आप को हंसी भी आयेगी और हैरत भी होगी। हमारे देश की बात है कि एक परिवार में झगड़ा हुआ और उस के एक सदस्य ने सोचा कि यह जीवन ही बेकार है। इसलिये उसने जहर खा लिया लेकिन सुबह जब उठता है तो अपने को वैसा का वैसा ही पाता है। इसका पता लगाया गया तो पता चला कि उस विष में भी एडल्ट्रेशन था? जब विष में भी एडल्ट्रेशन है तब खाद्य पदार्थों में हो, पानी में हो या और जिस चीज में भी हो उस की चर्चा में क्या करूं? इस की ज्यादा चर्चा कर के मैं आप का समय नहीं लेना चाहता। लेकिन जैसा कि मैं ने पहले ही कहा हमारे वर्तमान स्वास्थ्य मंत्री बड़े ही दृढ़ है, उन से बाहर भी बात हुई है, इसके लिए वह प्रतिज्ञ हैं, इस बुराई को जड़ देश से बाहर करना चाहते हैं, ऐसा उन का संकल्प है। लेकिन यह तभी सफल हो सकता जब जनसहयोग मिलेगा। कोई भी चीज कानून बनाने से नहीं हल हो सकती है। हम ने बहुत से कानून बनाए हैं, वह यों ही कागज के पन्नों से लटके रह गए हैं।

इन के विधेयक में तीन उद्देश्य बिल्कुल साफ हैं। पहला तो यह कि कन्ज्यूमर की रक्षा की जाये। दूसरा यह कि व्यवसायी को व्यर्थ में परेशान न किया जाये क्यों कि जो व्यवसायी है वह कलंकित है, वह दोषपूर्ण है यह मान कर चलेंगे तो हमारे देश की अर्थ व्यवस्था ही बिगड़ जायगी। और तीसरा उद्देश्य यह है जो सब से उत्साहवर्द्धक है कि जो इसके नियम और उपनियम है उन का पालन उचित ढंग से और तत्परता से हो। यह बड़ा सराहनीय कदम है।

अब एडल्ट्रेशन के बारे में जैसा मोदी जी चर्चा कर रहे थे, मैंने उन को बड़े ध्यान से सुना, एडल्ट्रेशन करने वाला चाहे धनी हो चाहे गरीब हो, यहां पर धनी गरीब की बात नहीं उठती है, जाति पात की बात नहीं उठती है, कौन एडल्टरेशन करता है, किस लेबेल पर करता है, जिस लेवल पर भी पाया जाय उस को दण्ड देना चाहिए क्यों कि ऐसा कहा गया है कि न्यायार्थ अपने बन्धु को भी दण्ड देना धर्म है। इसलिए हम इस से सहमत नहीं है कि जहां गलती है वहां सजा न दी जाय। जो भी गलती करने वाला हो, चाहे छोटा हो या बड़ा हो कोई भी कहीं का भी हो उसको सजा दी जाय और जो जानबूझ कर गलती करता है उस के लिए विधेयक में प्रावधान है कि आजन्म कारावास की सजा दी जाय, तो उस के लिए तो मैं ने तेहरान की चर्चा सुना दी, उसी से समझा जा सकता है कि मैं उस से कितना सहमत हूं।

विधेयक में तीन तरह के सैम्पल लिए जाने की व्यवस्था है। एक उस में वैसे पब्लिक एनौलिस्ट को और दो लोकल एथारिटी को। मोदी जी ने प्रस्ताव रखा है कि एक सैम्पल विक्रेता के पास भी रहे तो यह बहुत उचित होगा। मैं समझता हू कि यह इंसाफ का तकाजा है कि एक सैम्पल उस को भी मिलना चाहिए।

कमेटी जो बनाई है उस मे पांच कन्ज्यूमर्स के प्रतिनिधियो को रखा है, एक होटल चलाने वालों के प्रतिनिधि को और रामावतार शास्त्री ने कर्मचारियो का जिक्र किया था, बडा अच्छा सुझाव था, हम लोग हर मैनेजमेंट मे कर्मचारियो को साथ लेना चाहते हैं तो इस में भी कर्मचारियो का एक प्रतिनिधि रखें दे तो मैं समझता हू कि जो नियम बन रहे हैं उन के अनुकूल ही यह होगा, उन के प्रति कूल नही होगा।

जैसा यह विधेयक है उस को देखने से मालूम होता है कि यह बडा व्यापक है, तो केवल दिल्ली मे सेंट्रल आफिस खोल देने से काम नही चलेगा। सट्रल आफिस को बहुत मजबूत, बहुत दक्ष तो होना ही चाहिए लेकिन राज्य स्तर पर और जिला स्तर पर भी इस का प्रावधान होना चाहिए जिस से हर एक चीज की जाच हो सके और गलती करने वालो को उचित दण्ड दिया जा सके।

अब सुझाव के नाम पर मैं कहूगा माननीय मंत्री जी से कि जन-सहयोग लीजिए। बहुत से पब्लिक आर्गनाइजेशन्स है उन से सहायता लीजिए और जहा से उत्पादन होता है वहा भी जाच की व्यवस्था होनी चाहिए। प्रयोगशालाए जहा तहा होनी चाहिए। और सब से गंभीर बात मै यह कहना चाहता हू कि यह सारी बाते क्यो होती है ? क्योकि देश मे चरित्र का अभाव है। वह इस का मुख्य कारण है। इस अभाव को कैसे दूर कर सकते हैं ? उस के लिए एक ही उपाय है कि लोगों को हम काम दें। आप जानते हैं व्यवसायी का लडका अगर बिगड जाता है तो वह तिजोरी की चाभी उसे दे देता है और वह लडका दुरुस्त हो जाता है। तो जिस को आप खराब मानते है उस पर आप दायित्व सौंपिए, वह भी सुधर जायगा। इन शब्दो के साथ मैं इस विधेयक का समर्थन करता हू।

15 hrs.

[SHRI C. M. STEPHEN *in the Chair*]

श्री नाथूराम अहिरवार (टीकमगढ) माननीय मन्त्री जी इस सदन मे जो विधेयक लाये है मैं उसका हृदय से समर्थन करता हू। यह बहुत आवश्यक है कि देश मे मनुष्यो के जीवन के साथ खिलवाड न किया जाये। व्यापारी लोग धन कमाने के लिए तरह तरह की बाते करते है। लोगो को पकडने के बाद इस कानून के अन्तर्गत जो अमल होगा वह अमल करने वाले वही लोग होगे जैसे कि देहात मे फूड इन्स्पेक्टर और सेनिटरी इन्स्पेक्टर होते हैं। आज जैसे मूगफली का तेल है या जितने भी दूसरे खाने के तेल हैं उनके ड्रम भर भर कर बडी बडी मिलो से आते है। गावो मे सिर पर दो चार किलो तेल रखकर जो छोटा दूकानदार जाता है उसको सेनिटरी इन्स्पेक्टर पकड लेते है, उसके सैम्पिल भर लेते है और उसका चालान कर देते है। इस प्रकार से जो छोटे छोटे दूकानदार होते है वे अपनी रोजी रोटी नही कमा सकते है। इसी प्रकार के देहात मे किसानो के पास गाय भैसे होती है, व एक डढ किलो घी लेकर बाजार मे जाते है ताकि उसको बेचकर अपनी जरूरत की चीजें खरीद लें तो वहा पर इन्स्पेक्टर उनको पकड लेते है। घर के बनाय घी मे मट्टा तो होता ही है, उसके लिए उसका चालान हो जाता है और उसको कारावास की सजा भुगतनी पडती है। दूसरी तरफ

[श्री नाथू राम अहिरवार]

जहां पर बड़ी मात्रा में चीजें बनती हैं वहां पर कोई रोक नहीं होती है। तेल की जो मिल हैं या जो दूसरी खाने पीने की चीजें हैं जहां से चीजों के पैकेट बनकर आते हैं वहां पर कोई देखता नहीं है। जो देहात के आदमी होते हैं उनको पकड़ा जाता है। मेरे गांव में एक आदमी कोल्हू चलाता था, उसका कोल्हू चल रहा था, इंस्पेक्टर साहब आये, उन्होंने कोई सम्पिल तो लिया नहीं, शीशी तोड़कर कांच के टुकड़े मिला दिए और उसका चालान कर दिया और बाद में उसपर हजारों का जुर्माना हो गया। गांवों में 15-50 रुपए की पूंजी लगाकर लोग अपनी दूकानदारी करते हैं। इंस्पेक्टरों का महीना बंधा हुआ है, जो नहीं देता है उसका चालान कर दिया जाता है। गांवों का जो दूध होता है वह बड़े शहरों में जाता है, वहां पर भी इंस्पेक्टर का महीना बंधा हुआ है जो पैसा देते हैं वे चाहे जितना पानी दूध में मिलाकर ले जायें लेकिन जो भी पैसा नहीं देता है उसका चालान हो जाता है। ऐसी हालत मे जो कर्मचारी हैं उन पर सख्ती करने की आवश्यकता है। इस बात का प्रबन्ध किया जाये कि सरकारी मशीनरी पैसा कमाने में न लगे। आज एक सेनिटरी इंस्पेक्टर को दो सौ रुपए तनख्वाह मिलती है लेकिन आप उसके रहन सहन को देख, वह 6 महीने में ही मोटर-साइकिल ले लेता है। वह इंस्पेक्टर छोटे छोटे दूकानदारों का ही चालान करते हैं, बड़े दूकानदारों का चालान नहीं करते हैं। वे उनके यहां जाते है तो चाय पीकर और जयराम जी करके चले आते है।

आप जो यह कानून बना रहे हैं वह बड़ा अच्छा है लेकिन इसके इम्प्लीमेंटेशन के लिए आपको जनता का सहयोग लेना चाहिए। परिवार नियोजन के बारे मे ग्राम चलचित्र प्रदर्शित करते हैं, ड्रामा मण्डली कराते उसी तरह से एडल्ट्रेशन के बारे में भी लोगों में जागृति पैदा करनी चाहिए। इसके लिए मीटिंगें की जायें, भाषण हों, ड्रामा हों, छोटे छोटे सिनेमा दिखलाये जायें—इस प्रकार से लोगों को यह महसूस हो सकेगा कि इस तरह की बातें करने से सजा मिलती है। देहातों में भी जाकर इसका प्रचार होना चाहिए कि इस प्रकार के गलत काम न किये जायें जोकि लोगों के जीवन के लिए हानिकारक हैं। माननीय सदस्य कह रहे थे कि शराब में भी एडल्ट्रेशन होता है। दूध में पानी मिलाने से एक हजार रुपया जुर्माना और 6 महीने की सजा होती है और शराब में मिलाने से कुछ नहीं होता है। तो जैसा मैं ने निवेदन किया उन बातों पर ध्यान दिया जाये। इन शब्दों के साथ मैं इस बिल का समर्थन करता हूं।

श्री चन्द्र शैलानी (हाथरस) : सभापति जी, मैं माननीय स्वास्थ्य मंत्री जी का बड़ा शुक्रगुजार हूं और उन का स्वागत करता हूं, जो इतना अच्छा बिल वे इस सदन में लाये और साथ ही मे इस बिल का समर्थन करता हूं।

सभापति जी, आज ही मैंने एक अखबार में पढ़ा था कि रूस मे जनता के स्वास्थ्य को सब से अधिक प्राथमिकता दी जाती है, लेकिन मुझे बड़ा अफसोस के साथ कहना पड़ रहा है कि हमारे देश में जनता के स्वास्थ्य के साथ बहुत बुरी तरह से खिलवाड़ किया जाता है। मैं अपने उन मित्रो की बात को दोहराना नहीं चाहता, जो मुझ से पहले इस सम्मानित सदन को बता चुके हैं, इस में दो रायें नहीं हैं और माननीय स्वास्थ्य मंत्री जी का यह बिल इसी बात का सबूत है कि हमारे देश मे खाद्य पदार्थों में मिलावट होती है। यदि ऐसी मिलावट हो जो मामूली हो, तो उस को बरदाश्त भी किया जा सकता है, यदि किसी स्वस्थ आदमी को कोई मिलावट की चीज दे दी जाए तो मैं समझता हूं कि कोई

विशेष फर्क नही पडेगा, लेकिन अफसोस यह है कि रोगियों को चीजें दी जाती हैं उन मे भी बडी भयंकर मिलावट होती है ।

आज आप किसी भी खाने की चीज को ले लीजिए—नमक, दाल घी, मिर्च, मसाले कोई भी चीज हो, इसी तरह से पीने की चीजें जैसे दूध है, इस तरह की सभी चीजो मे मिलावट होती है। पिसे हुए मसालो मे तो मैं समझता हू बहुत ही अधिक मिलावट होती है और पता नही क्या क्या मिलाते हैं। आप को सुन कर ताज्जुब होगा—पिसे हुए धनिये मे गोबर, गधे की लीद तक मिलाते हैं। एक ऐसी चीज जिस को टट्टी कहते हैं—उस तक को इन्सानो को खिलाया जाता है। मेरे यहा हाथरस मे एक लाला के यहा सैकडो बोरियां लीद पकडी गई, बाद मे पता चला कि वह पिसे हुए मसाले का बहुत बडा मैन्यूफैक्चरर था। काली मिर्च मे पपीते के बीज मिलाये जाते हैं। इन सब चीजो के बारे मे मेरे बहुत से साथी पहले भी बता चुके हैं, इस लिए मैं ज्यादा कह कर सदन का समय खराब नही करना चाहता हू। लेकिन इतना जरूर है कि आज मैं अपने मंत्री जी की हृदय से तारीफ करता हू। उन्होने अपने भाषण मे हमे बतलाया कि खाद्य पदार्थों की मिलावट की जाच के लिए हम कई लैबोलेट्रीज स्थापित करने जा रहे है, जो नवीनतम उपकरणो से सुसज्जित होगी, जिन को कलकत्ता, गाजियाबाद तथा अन्य कई स्थानो पर खोला जा रहा है। लेकिन मैं एक बात कहना चाहता हू — यह तो ठीक है कि इन प्रयोगशालाओ से खाद्य पदार्थों की मिलावट का तो पता चल जायगा, लेकिन जो मनोवृत्ति, जो जहनियत आज लोगो मे फैल चुकी है, उस के लिए आप कौनसी प्रयोगशाला बनाने जा रहे हैं ? इस का सुधार कैसे होगा ?

सभापति जी, हमारे एक साथी ने कहा था—वास्तविकता यह है कि हम मे नैशनल करैक्टर की कमी है। एक दुकान पर बैठा हुआ लाला, जिस दिन उस के दिमाग मे यह बात आजायेगी कि जिस घी, तेल, नमक, मिर्च, मसाले मे मिलावट कर के मैं बेच रहा हू, उस का इस्तेमाल करने वाला मेरा ही कोई भाई होगा, मेरे देश का कोई वासी होगा, निवासी होगा, जिस तरह से मैं एक इन्सान हू, उसी तरह से वह भी एक इन्सान है, मैं इस देश का निवासी हू, वह भी इस देश का निवासी है, अगर अपने उस भाई के प्रति उसके दिल मे जरा भी रहम, मुहब्बत और तरस होगा, मैं समझता हू उसी दिन वह मिलावट करना बन्द कर देगा। लेकिन होता यह है कि धन पाने की इच्छा, कोठी मे रहने की इच्छा, कार मे चढने की इच्छा, उसे घृणित से घृणित काम करने के लिए बाध्य कर देती है—बस इसी नेशनल करैक्टर की कमी है। जिस दिन हमारे मन से यह भावना पैदा हो जायेगी—इस तरह का अमानवीय कार्य अपराध होता है—खाद्य पदार्थ में मिलावट सबसे भयकर अमानवीय अपराध होता है—उसी दिन लोग मिलावट करना बन्द कर देगे।

हमारे बहुत से साथियो ने यहा कहा कि इस मे कानून कमजोर है, उस का सही तरीके से पालन नही होता है—मैं समझता हू वह सही बात है, इस मे दो राये नही हैं।

इस की जो सब से छोटी इकाई है जिस को फूड या सैनिटरी इन्स्पैक्टर कहा जाता है, मैं आप से कहना चाहता हू कि यह इन्स्पैक्टर नाम का जन्तु बडा ही खतरनाक है। जिस आदमी पर ठप्पा लग जाय कि इन्स्पैक्टर है पता नही कहा से कुदरत उस को पैसा पैदा करने का हुनर दे देती है। पैसा स्वय उस के पास खिच कर आता है। चाहे सैनिटरी इन्स्पैक्टर हो, या फूड इन्स्पैक्टर हो, हैल्थ

[श्री चन्द्र शैलानी]

इंस्पैक्टर हो या पुलिस इंस्पैक्टर हो, यह जन्तु बड़ा खतरनाक है। मेरा निवेदन है कि इस इंस्पैक्टर नामक जन्तु को खत्म कीजिए, इस के नाम और काम में परिवर्तन कीजिए।

सभापति जी, कानून तो बन रहा है लेकिन इस के साथ ही साथ मिलावट से क्या हानियां हैं और सरकार इस के लिए क्या करने जा रही है इस के लिए पब्लिक ओपीनियन क्रीएट करनी चाहिए। जन-जागृति के बहुत से साधन हैं। जैसे सरकार का सूचना विभाग है जो तरह तरह की बुराइयों का जनता में प्रचार करता है। मैं सिनेमा भी देखता हूं और सदस्य भी देखते होंगे, खाद्य पदार्थों में मिलावट के सम्बन्धित क्या सजायें हैं। किस तरह से जनता का स्वास्थ्य बिगड़ता है इस का बहुत कम प्रचार होता है। इस के लिए मंत्री जी कुछ पैसा ज्यादा रखें और प्रचार करें। जो लोग खाद्य पदार्थों में मिलावट के दोषी पायें जायें, मैं प्रजातंत्र में विश्वास रखता हूं इसलिए यह तो नहीं कहना चाहता कि उन को गोली मार दी जाये, लेकिन इतना जरूर कहूंगा कि जितनी कड़ी से कड़ी सजा हो सकती है वह दी जाये जो भी मिलावट के दोषी पाये जायें।

इन शब्दों के साथ मैं इस बिल का स्वागत करता हूं।

डा० कैलास (बम्बई दक्षिण) : सभापति जी, इस के पहले कि मैं अपने कुछ सुझाव सदन के सामने रखूं मैं मंत्री जी को हृदय से धन्यवाद देता हूं तथा साथ ही साथ सेलेक्ट कमेटी में जितने सदस्य थे वह भी धन्यवाद के पात्र हैं क्योंकि जो बिल सदन के सामने आया है, वह पूरी तरह से सोच समझ कर लाया गया है। यह भी सत्य है कि किसी भी बिल के लिए यह कह देना कि वह पूर्णत: ठीक माना जाये, यह भी जरा मुश्किल होता है। शायद जब मंत्री जी बोल रहे थे, माननीय सदस्य गोस्वामी जी यहां नहीं होंगे। जब मंत्री जी ने इस प्रश्न पर प्रकाश डालते समय यह कहा था कि हम ने ओरिजिनल एक्ट में यह छोटा सा संशोधन किया है कि कम्पनी के डायरेक्टर्स को छोड़ कर जो भी व्यक्ति प्रोडक्शन मनेजर के नाम से या मैनेजर के नाम से काम देख रहा होगा उस को हम दोषी मानेंगे क्योंकि हमारे सामने ऐसी कुछ रिप्रेजेन्टेशन आयी जिसमें ऐसा लगता है कि डायरेक्टर्स का उस दोष में कुछ लेना देना नही है, फिर वह भी दोषी माने जाते हैं। लेकिन उस से बड़ी बात मंत्री जी ने यह कही थी कि अगर हमें यह अनुभव हुआ कि हमारे इस संशोधन के लाने से कुछ गलत व्यक्ति छूट रहे हैं, अर्थात् डायरेक्टर्स बदमाशी कर रहे हैं तो मैं सब से पहला व्यक्ति होउंगा जो इसी सदन मे कानून मे संशोधन लाऊंगा जिससे डायरेक्टर भी दोषी माने जायें। जब मंत्री जी ने इतना बड़ा वायदा सदन मे दिया है तो फिर इस बात की चर्चा को श्री श्रीस्वामी जी उठायें वह मेरी समझ में नही आया।

माननीय श्रीकृष्ण मोदी ने जो कुछ कहा मेरी समझ में बहुत ठीक है। जो कुछ वह कह रहे थे आत्मा से बोल रहे थे क्योंकि उनका हमेशा सम्बन्ध रिटेलर से आता है,

और रिटेलर को अगर आप पकड़ें तथा उस को सैंम्पिल भी न रखने दें, तो यह अन्याय सा लगता है। जो परिभाषा श्री चन्द्र शैलानी जी ने अभी इंस्पैक्टर्स की दी कि वे कैसे प्राणी हैं, तो वे आसानी से रिटेलर को खत्म करना चाहें तो कर सकेंगे क्योंकि वह उसके पास सैंम्पिल भी नहीं होगा जिससे वह बच सके तो दुर्भाग्य-पूर्ण होगा। यह एक अच्छी क्लाज पुराने एक्ट में थी उसे अब समिति ने क्यों यह समझा कि दो या तीन सैंम्पिल में से दोषी के पास एक भी न रहे मैं तो चाहता हू कि दो सैम्पिल्स अलग अलग दो फूड लैबोरेटरीज मे भेजे जायें जिससे समय बचे तथा दो रिपोर्टों के आधार का दोषी दण्डित जल्दी किया जा सकेगा। फिर मैं दोहराना चाहता हूं कि उन में से एक मैडिकल आफिसर के पास रहे और दूसरा जिस को दोषी बनाया जा रहा है, उस के पास अवश्य रहना चाहिए।

सभापति जी, इस बिल के सैक्शन 3 की क्लाज "जी" मन्त्री जी ने कुछ व्यक्तियों की एक सेन्ट्रल एडवाइजरी कमेटी या सेन्ट्रल कमेटी बनाई है क्योंकि इन्हे इस बात की चिन्ता है। कि हम बढ़िया से बढ़िया कानून तो बना देते हैं लेकिन उस का इम्पलीमेंटेशन ठीक प्रकार नही हो पाता है। और यह ही नही उन्होंने यह भी किया कि इम्पलीमेंटेशन के लिए सिर्फ यही काफी नही है कि पाच रिप्रेजेन्टेटिव्ज इस के लेंगे और पांच रेप्रेजेन्टेटिव्ज उस के लेगे बल्कि यह किया गया है कि पांच रेप्रेजेन्टे-टिव्ज में से एक होटल इंडस्ट्री का जरूर होगा और उसके लिए उन्होंने यह दृष्टान्त भी दिया था कि हमारा जो आई०सी०टी० डी० सी० सारे भारतवर्ष में काम कर रहा है और भोजन देने के लिए यह सब से बड़ा यन्त्र बनने जा रहा है उसका प्रतिनिधि सहायक होगा। यहां पर 'अकबर' और 'अशोक' होटलों की बात कही गई। वह कौन चला रहा है? सरकार उस को चला रही है और उस का प्रतिनिधि उस समिति में अगर बैठेगा, तो कोई दोषपूर्ण वातावरण अगर प्राइवेट सैक्टर वाले होटल चला कर पैदा कर रहे हों उसे बता सके। इसलिए उन्होने उस को लिया है, लेकिन एक डाक्टर होने के नाते, और इन्डियन मैडिकल एसोसियेशन कितना अच्छा काम कर रही है, उस नाते, मैं अवश्य यह प्रार्थना करना चाहूंगा कि आप इन्डियन मैडिकल एसोसियेशन के एक प्रतिनिधि को भी इस में रखें। या आप ने जो कन्ज्यूमर्ज के प्रतिनिधि रखे हैं, उनमें से एक डाक्टर ले लें क्योंकि डाक्टर भी एक कन्ज्यूमर है। एक प्रतिनिधि इन्डियन मैडिकल ऐसोसियेशन का अवश्य होना चाहिए चाहे वह इन्डियन मैडिकल एसोसियेशन का सभापति हो या जिस को वह भेजना चाहे, वह भेज दे ऐसी मेरी प्रार्थना रहेगी।

मन्त्री जी स्वयं अपने भाषण के अन्त में यह कह रहे थे कि हम ऐसा वातावरण पैदा करना चाहते हैं अर्थात इस के लिए प्रापेगैन्डा अच्छा हो। आज हम जो डाक्टर है उन की सख्या 10 लाख है और अगर उन का एक प्रतिनिधि इस मे हो जाता है, तो उस के द्वारा उस प्रोपेगेन्डे मे डाक्टर्स को बहुत सहायता मिलेगी, ऐसी मेरी मान्यता है।

मंत्री जी ने यह भी जिक्र किया है,कि एक सेंट्रल फूड लेबोरेटरी होगी। हम यह चाहते है कि उस के लिए भी एक एडवाइजरी कमेटी बने और उस में एक एक्सपर्ट अवश्य होना चाहिए। जो कमेटी आप बनाने जा रहे हैं उस में डाइरेक्टर तो रहेगा ही। वह एक्सपर्ट तो वहां रहेगा ही लेकिन मै चाहता हू कि एक ऐसा व्यक्ति, जो सरकारी नौकरी में न हो, उस प्रकार का एक्सपर्ट अगर सेंट्रल फूड

[डा० कैलास]

लेबोरेटरी के सुचारू रूप से चलाने के लिए नुमाइन्दे के रूप में हो, तो बहुत अच्छा होगा ऐसी मेरी मान्यता है ।

आप ने ग्रेडेड पनेल्टी रखी है, उस के लिए आप का बहुत बहुत धन्यवाद । मैं चाहता हूं कि इस के इम्पलीमेंटेशन के लिए तथा रोगी को जल्दो दण्डित करने के लिए आप जल्दी से जल्दी रीजनल फूड लैबोरेटरी खोले । राज्य सरकारो को इस प्रकार की लेबोरेटरी खोलने की हिदायत का जो प्रावधान आपने किया है, यह एक नई मिसाल हम पैदा कर रहे हैं । सेन्टर डाइरेक्शन्स दे सकता है, हिदायत दे सकता है जिस से राज्य सरकारे इम्पलीमेंटेशन ठीक प्रकार से करे । यह प्रावधान आवश्यक तथा महत्व पूर्ण है ।

श्री राजदेव सिंह (जौनपुर) सभापति जी, हमारे सामने जो एमेडिग बिल है, उस के लिए मैं मंत्री महोदय को धन्यवाद देता हू लेकिन साथ ही साथ यह कह देना चाहता हूं कि देश की जनता की मनोभावना से वह बहुत कम है ।

आज हमारे देश के जो लोग हैं उन्हे कई हिस्सो मे बाटा जा सकता है । जो लोग वकालत करते है, उन की दूसरी राय हो सकती है, जो लोग बडे शहरो मे रहते हैं उन की दूसरी राय हो सकती है, जो लोग गाव मे रहते हैं उन की दूसरी राय हो सकती है और जो बडी बडी कोठियो से रहते हैं, उन की दूसरी राय हो सकती है । आखिर कौन लोग है जो इस तरह का सौदा करते हैं और जहरीली चीजो को मिला कर के खाने वाले पदार्थों को जहरीला बना देते हैं और इन्सान की जिन्दगी को मौत के किनारे ला देते हैं । आप यकीन रखिये कि ऐसा करने वाला आदमी किसी गांव का नहीं हो सकता है, अपढ नही होगा, बल्कि बहुत पढा लिखा होगा, बडे शहर का रहने-वाला होगा और आलीशान हवेली, कोठियों में रहने वाला होगा । गरीब आदमी नही हो सकता है । बडे बडे से लोग हैं हमारे देश मे जो एडल्ट्रेशन चाहे खाने की हो या दूसरी चीजों की हो वह करते हैं और रात भर में लखपति होने की, एक हफ्ते के भीतर भीतर मालामाल हो जाने की कोशिश करते है । सपने देखते हैं और वे यह कार्य करते रहते है । इनके लिए आपने जो सजा रखी है काले पानी की वह कम है । आप सोचें कि काले पानी की सजा आप एक उस आदमी को देना चाहते हैं जो कइयो को मारता है । जब कोई एक आदमी को जान से मार देता है उसको तो आप फासी की सजा देते हैं लेकिन जो पचासो की जिन्दगी को मारने का जिम्मेदार है उसे आप काले पानी की सजा दें यह समझ मे नही आता है । मेरा आप से अनुरोध है कि यो मैंने कोई संशोधन नही दिया है, अगर हो सके तो काले पानी की जगह आप फासी की सजा कर दें । साथ ही साथ हमने इसी सदन मे अभी पास किया था एक बिल जिसमे हमने स्मगलर्स की जायदादो को जब्त करने की बात कही थी । जो एडल्ट्रेटर दसियो सालो से एडल्ट्रेशन करते आ रहे हैं और करोडो जिन्होने इस तरह से कमाया है, उनकी भी आपको उसी तरह से जायदादो को जब्त कर लेना चाहिये । अगर अदालत मे यह साबित हो जाता है कि इन्होने एडल्ट्रेशन किया है तो फासी के साथ साथ उनकी तमाम जायदाद भी जब्त हो जानी चाहिये ।

मैं यह भी चाहूगा कि फासी भी उनको डिमोस्ट्रेटिव होनी चाहिये ताकि जनता पर इसका असर पडे । चार दीवारी के भीतर फासी होती है और अखबारो मे उसकी खबर आ जाती है तो उसका कोई असर नही होता है । मैं कहता हूं कि पब्लिक

हैंगिग होना चाहिये, ऐसे लोगों का पब्लिक व्हिपिंग होना चाहिये ताकि दूसरों को सबक मिले और वे इस रास्ते पर जाने की कोशिश न करें।

मेरा आप से यह भी अनुरोध है कि इस चीज को प्रभावशाली बनाने के लिए आपके पास एक बहुत बड़ा साधन है और वह आकाशवाणी है और उसका आपको उपयोग करना चाहिये। पहली बात तो यह है कि इनको आपको नाम देने चाहियें, मौत के सौदागर और जनता के दुश्मन। इन दो नामों से इनको आकाशवाणी से पुकारा जाना चाहिये। जब कभी इनका रेफ्रेंस आए इनको इन दो नामों से आप पुकारें इन्हीं नामों से इनको याद करें। इन्हीं नामों से इनका प्रचार भी किया जाना चाहिये।

हमारे बहुत से साथियों ने इसके इम्प्लेमेंटेशन के बारे में कहा है। देखने में कई बार यह आता है कि जो सैम्पल लिए जाते हैं उनको कुछ रुपये लेकर इंस्पैक्टर लोग या तो डैसट्राय कर देते हैं या उनको चेंज कर देते हैं। जब कभी साबित हो जाए कि किसी इंस्पैक्टर ने ऐसा किया है या किसी अफसर ने ऐसा किया है तो उसकी सार्विसिज दुरन्त टर्मिनेट आपको कर देनी चाहिये, उनको आपको तुरन्त डिसमिस कर देना चाहिये।

इस सम्बन्ध में लैबोरेटरीज की बात भी आती है। एक ही लैबोरेटरी है जहां साल साल भर लग जाता है, महीनों लग जाते हैं और रिजल्ट नहीं आता है। किसी कैमिकल का एकशन और रिएकशन भी होता है। बहुत से एकशन ऐसे भी हो सकते हैं कि कैमिकल की कोई चीज छः महीने रखी या कोई दूसरी चीज रखी और उसका टैस्टिंग नहीं हुआ तो उसका जो पायजनस कंटेंट हैं वह भी उड़ सकता है और जो पायजनस नहीं है आगे चल कर वह पायज़नस हो सकती है। इस वास्ते टैस्ट रिपोर्ट्स जलदी आएं इसके लिए यह जरूरी है कि लैबोरेटरीज की संख्या जितनी ज्यादा आप बढा सकते हैं, बढाएं। मेरा सुझाव है कि बड़ी स्टेट्स में दो दो और छोटी स्टेट्स में या यूनियन टैरिटरीज में एक एक लैबोरेटरी तो जरूर होनी ही चाहिये। यह आपका टारगेट होना चाहिये।

इन थोड़े से शब्दों के साथ मैं इस एमेंडिंग बिल का समर्थन करता हूं।

श्री एस० एम० बनर्जी (कानपुर): मैं आपको इस कानून को लाने के लिए बधाई देता हूं। आपने बहुत हिम्मत से काम लिया है। जो वादे दूसरे मंत्री करते रहे हैं उनको आपने अमलीजामा पहनाने की कोशिश की है। फांसी की सजा तो नहीं लेकिन उम्र कैद की आपने इस में व्यवस्था रखी है। इसके लिए मैं आपको हार्दिक बधाई देना चाहता हूं। मेरा आपसे यह भी अनुरोध है कि आप इसका पूरा पूरा ख्याल रखें कि इस कानून का कोई नाजायज इस्तेमाल न करें। उत्तर प्रदेश के कुछ शहरों में, कानपुर आदि में जिनके यहां अच्छा सामान बिकता था उनको परेशान किया गया। इस तरह से अगर कोई इंस्पेक्टर आदि करते हैं तो उनको कड़ी से कड़ी सजा दी जानी चाहिये। जो मिलावट करें तथा जो मिलावट को पकड़ने वाले हैं और वे भी अगर दोषी पाए जाते हैं तो उनको भी सजा होनी चाहियें। कोई भी इसका नाजायज फायदा न उठा सके इसकी आपको व्यवस्था करनी चाहिये। मैं समझता हूं कि इसके लिये बहुत बड़ी व्यवस्था की जरुरत है। और ईमानदार आदमियों को यह काम सौंपा जाना चाहिये। हिन्दुस्तान में चालाक आदमियों की कमी नहीं है, कमी ईमानदार आदमियों की है। अपने डिपार्टमेंट के ऊपर भी कम से कम आप कड़ी नजर रखें

[श्री एस० एम० बनर्जी]

और जिन के हाथ में यह भार सौंपा जाएगा कि वे जा कर मिलावट करने वालों को पकड़ें, उनका भी ध्यान आप रखें। मिलावट के साधन बहुत हैं। मिलावट करने का विशेष गैंग है, इसे बहुत बड़े बड़े सरमायेदार करवाते हैं। दवाई बनाने वाले दुकानदार भी मिलावट करते हैं। इसके पीछे एक साजिश है, एक विशेष गिरोह है, जिसे तोड़ने की जरूरत है। उसमें उन्हीं लोगों का हाथ है, जो विदेशों के सामान स्मगल करते हैं और बड़ी-बड़ी डकैतियां करते हैं, बैगन ब्रेक करते हैं। हाथ एक ही है लेकिन उसकी उंगलियां जगह जगह नजर आयेंगी।

मेरे मित्र श्री रामावतार शास्त्री ने कुछ बातें यहां कही हैं। मालूम होता है कि उनको गलत इन्फार्मेशन दी गई है, इसलिए कुछ गलत बातें कानपुर के बारे में कही गई। कानपुर एक ऐसा शहर है, जहां पान का मसाला बनाया जाता है। आप हिन्दुस्तान किसी कोने में चले जाइये, किसी ने आज तक कम्पलेन्ट नहीं की कि इसमें मिलावट है। सवाल सीधा सा यह है कि पान मसाले में सैकरीन पड़े या चीनी? मैं खुद एक डेपुटेशन लेकर डिप्टी मिनिस्टर श्री इसाक के पास ले गया था। यहां वे लोग सैम्पल ले गये थे। उन्होंने कहा था कि अगर कोई साबित कर दे कि चीनी से मसाला बन सकता है और वह बरसात में खराब नहीं होगा तो हम इसको छोड़ने के लिये तैयार हैं। इसहाक साहब ने कहा कि जो आर्डर इश्यू किये गये हैं कि उसको न बनाया जाये, वह रद्द कर दिये जायेंगे। अगर इसके बनाने पर बंदिश लगाई गई, तो कानपुर के 2,3 हजार परिवारों की जिन्दगी तबाह हो जायेगी।

छोटे छोटे सुपारी के पैकट आज सैकरीन से बनाये जाते हैं और छोटे छोटे बच्चों को 5, 10 पैसे में बेचा जाता है। अधिकारियों ने उस पर कोई रुकावट नहीं की है। वे बाजार में मिल सकते हैं और छोटे बच्चे उसको खा सकते हैं। इसकी तुलना में पान का मसाला छोटा बच्चा नहीं खा सकता है। उसमें क्या खराबी है। हम अपने घर में 30 साल से वह मसाला खा रहे हैं, मैं खा रहा हूं, मेरी बीबी खा रही हैं, लेकिन हम तो नहीं मरे हैं। बल्कि कानपुर की पापुलेशन बढ़ी है, घटी नहीं है। इस काटेज इंडस्ट्री को बन्द कर के 2,3 हजार परिवारों को खत्म न किया जाये। अगर जरूरी हो तो लैबोरेटरी में इसका एनेलिसिस किया जाये। वह मसाला सैकरीन के सिवाय और किसी चीज से नहीं बन सकता है।

मैं हाथ जोड़कर निवेदन करूंगा कि मंत्री महोदय इन दो, तीन हजार परिवारों को मौत के रास्ते पर न ले जायें। ऐसा न हो कि जो एडल्ट्रेशन करें, वह तो जिन्दा रह जायें और जो एडल्ट्रेशन नहीं करते हैं, जिन्होंने मंत्री महोदय से मिन्नत की है, गुजारिश की है उनके परिवार पर मर जायें।

श्रीमती सहोदरा बाई राय (सागर): चेयरमैन साहब, स्वास्थ्य मंत्री जो बिल लायें हैं, वह अच्छा है, खराब नहीं है। मैं बताना चाहती हूं कि हस्पतालों की दवाओं को, चाहे वह जनाना हस्पताल हो या और और कोई दूसरा हस्पताल हो, वहां पर इस्तेमाल नहीं किया जाता है बल्कि उन्हें बाहर बेचा जाता है और डाक्टर लोग पैसा कमाते हैं। इसी तरह मिक्सचर में पानी मिलाकर मरीजों को दिया जाता है, जिसकी वजह से वे ज्यादा बीमार हो जाते हैं इसलिये इस बात की तरफ ध्यान दिया जाये कि सरकारी हस्पतालों

की दवाओं को सारे हिन्दुस्तान में डाक्टर लोग प्राइवेट में न बेच सकें। हस्पतालों में यह हिसाब रखना चाहिये कि स्टाक में कितनी दवाएं हैं और कितने मरीजों को दी गई हैं।

जहां तक परिवार नियोजन का सम्बन्ध है, उसका सफल होना इसलिये कठिन है कि मुसलमान लोग कभी परिवार नियोजन नहीं करते हैं। वे कहते हैं कि हमारी संख्या ज्यादा होनी चाहिये। उनकी महिलाएं यह कहती है कि कुदरत ने हमें यह दिया है, हम इसको क्यों छोड़ें? महिलाएं तो परिवार नियोजन करने के लिये तैयार होती है, लेकिन पुरुष नहीं मानते हैं। पुरुषों के सहयोग के बिना परिवार नियोजन सफल नहीं हो सकता है। अगर महिला कहती है कि हमारे पहले ही तीन बच्चे हैं, तो पुरुष कहता है यह भगवान की देन है। अगर पुरुष परिवार नियोजन के सम्बन्ध में सहयोग नही करेंगे, तो महिलायें क्या करेंगी? अगर वे नहीं मानती हैं, तो पुरुष उन को रात को मारते हैं। बूढे हो गये, 18 साल की उम्र में शादी हो गई थी, 12 बच्चे घर में हैं, लेकिन फिर परिवार नियोजन की तरफ ध्यान नहीं दिया जाता है।

मिलावट के सम्बन्ध में अन्य माननीय सदस्यों ने बहुत कुछ कह दिया है। मैं उन बातों को दोहराना नहीं चाहती हूं। मेरा निवेदन है कि मंत्री महोदय इस तरफ ध्यान दें कि सरकारी अस्पतालों के डाक्टर वहां की दवाइयों को बाहर बेचते हैं और मरीज दवाओं में मिलावट की वजह से मर रहे हैं। इस लिए यह आवश्यक है कि अस्पतालों की दवाओं के बारें में पूरी निगरानी रखी जाये और डाक्टरों को आवश्यक आदेश दिये जायें।

यह संतोष की बात है कि सरकार अब मिलावट को रोकने के लिए ज्यादा सतर्क हो गई है। अभी तक इस बारे में पर्याप्त ध्यान नहीं दिया गया है।

मैं समझती हूं कि अगर सारे मिनिस्टर महिलायें हो जायें, तो काम ज्यादा अच्छी तरह से चलेगा।

इन शब्दों के साथ मैं इस बिल का समर्थन करती हूं।

श्री विभूति मिश्र (मोतीहारी) : सभापति महोदय मैं इस विधेयक का समर्थन करता हूं। मैं जानता हूं कि मंत्री महोदय, एक बड़े आध्यात्मिक और धार्मिक व्यक्ति हैं। यह मिलावट की बात हमारे देश में इस लिए आई है कि लोगों में धर्म की भावना खत्म हो गई है। हमारे देश में लोगों के नैतिक स्तर में भी गिरावट आई है। कम्युनिस्ट कन्ट्रीज मे मारेलिटी पर बल दिया जाता है। हमारे यहां उस की भी उपेक्षा हो रही है। इसी लिए हर जगह मिलावट हो रही है। मैं मंत्री महोदय से कहूंगा कि वह रेडियो पर प्रात दिन दो चार मिनट निकाल कर मिलावट के विरुद्ध भाषण प्रसारित करने की व्यवस्था करें। लोगों को इस बारें मे बताना जरूरी है।

मेरा यह भी सुझाव है कि छोटे और बड़े दुकानदारों, प्रोडयूसर्ज, होलसेलर्ज और रीटेलर्ज, की कांफरेंस साल मे दो चार बार बुलाया करें और उन से कहें कि राष्ट्रीय प्रान्तीय और गांव के स्तर पर वे लोग मिलावट को रोकने के लिए कार्य करें।

जब से पैसे का लोभ, प्राफिट मोटिव हो गया है, तभी से सारी गड़बड़ी हो गई है। एक व्यापारी का लड़का देखता है कि

[श्री विभूति मिश्र]

फलां आदमी मोटर पर आ रहा है, जब कि उस को औकात नहीं है। तो वह भी सोचता है कि मैं भी किसी तरह धन पैदा कर के मोटर खरीदूं।

हमारे यहां काफी पीनल सैंक्शन्ज मौजूद हैं, लेकिन जब तक नागरिकों का नतिक स्तर ऊचा न हो, तब तक कोई भी सरकार केवल पीनल सैंक्शन्ज से मिलावट को नही रोक सकती है। मंत्री महोदय का नैतिक स्तर बहुत ऊंचा है। उन्होने यह जो बिल रखा है, वह सिलेक्ट कमेटी में गया और फिर राज्य सभा से पास हो कर यहां आया है और आज यहा पास हो जायेगा। मेरा आग्रह है कि मंत्री महोदय इस काम के लिए ऐसे आदमियों को रखे, जो ईमानदारी से मिलावट को रोकने के लिए प्रयास करे।

आज इंस्पैक्टर्ज की तनख्वाह बंधी हुई है कि फला दुकानदार दस रुपये देगा और फलां पाच रुपये देगा। इंस्पैक्टर से ले कर हैल्थ आफिसर तक, नीचे से ले कर ऊपर तक सभी लोग, इस प्रकार के भ्रष्टाचार मे लगे हुए है। मैं गाव से आता हूं। मेरे घर से स्टेशन चौबीस मील की दूरी पर है। मैं आप को एक कथा सुनाना हू। मेरे गाव से पाच मील पर एक सज्जन थोडा अच्छे हो गए है खाने पीने मे। उन के घर मे शादी होने वाली थी तो उन्होने कहा कि हम दिखावे कि हमारे घर मे चाय बनती है। उन्होंने दूकान से चाय न मगा कर अपने घर मे चाय बनवाई। उसके लिए चीनी मंगवाई तो चीनी में नमक मिला हुआ था या क्या मिला हुआ था, दो तीन बार चीनी मंगाकर चाय बनवाई और हर बार दूध फट गया। उधर बेचारे बराती घबड़ा रहे हैं। अन्त में दरोगा के जिम्मे किया, केस चला, क्या हुआ क्या नही हुआ पता नही। तो मैं यह कहूंगा कि मंत्री जी लोगों का नैतिक स्तर ऊंचा करने के लिए प्रयत्न करें। गांधी जी के मूवमेंट में 1920 में हम जितने आदमी थे चाहे बड़े से बड़े आदमी श्रीकृष्ण सिंह हो, तो राजेन्द्र बाबू हो तो, और नीचे से नीचे स्वयं सेवक सब एक जगह सोते थे, एक जगह खाते थे, थर्ड क्लास में चलते थे, तो हम समझते थे कि समाज में कोई अंतर नही है। लेकिन आज समाज मे जो विषमता और अन्तर आ गया है इसलिए सब जगह ये सब चीजें मिलावट वगैरह की हो रही है। हर आदमी चाहता है कि धनी हो जाय।

एक बात मैं और कहूंगा, वह चाहे इधर की पार्टी हो या उधर की पार्टी हो, सब को पता है कि कौन मिलावट करता है। अगर पोलिटिकल पार्टीज मिलावट करने वालों से चन्दा लेना बन्द कर दे तो मिलावट भी बन्द हो जायगी (व्यवधान)... देखिए मुझसे बात न कीजिए। मैं सब पार्टियों का हाल जानता हू। मेरा यह कहना है कि जो मिलावट करता है उस से कोई भी पोलिटिकल पार्टी चन्दा न ले तो मिलावट करने वाले भी डर जाएगे और मिलावट बन्द हो जायगी।

मंत्री जी विधेयक पास करे और इस सदन की अगली बैठक मे मेम्बरों को बुला कर बात करें कि कैसे मिलावट दूर होगी, उस के लिए क्या कदम उठाया जाय, कौन सा रास्ता आगे उस के लिए और अपनाया जाय।

DR. KARAN SINGH: Mr. Chairman, Sir, the debate on this Bill has been an extermely constructive one and I am most grateful to the Hon. Members who have taken the trouble of studying the provisions so carefully and have given us the benefit of their ad-

vice. The Bill, as you would have noticed, has received widespread support because the House reflects the general public opinion that something drastic should be done against this evil. I will try to deal with some of the major points raised by the various Hon. Members. About twenty Members have spoken; I have tried to take notes, and I will wil deal with the broad problems.

Shri Saradish Roy made the point that, in a way adulteration was a reflection of the low economic standard of the country and it was ultimately only if proverty is removed and the economic standards are enhanced and the lot of the common man is improved, that is menace is really dealtwith. This is an unexceptional thing. All our efforts are directed towards the programme of bringing about a removal of proverty. He asked us how we were going to find out what is likely, to cause injury. It is well known that a health analysis can always tell us whether a certain adulterated article is likely to cause injury or not. We do not want to wait until people have died: that is the important point. We don't want to wait until people have died and therefore, if we seize an article and if we find that it is likely to cause death, we will take drastic action.

SHRI K. MAYATHEVAR: You say that if it is likely to cause injury, but if it causes death?

DR. KARAN SINGH: Then also.

Now, some general points have been made with regard to the training of Food Inspectors and improvement in their service prospects. That point is well taken. As long as our Food Inspectors remain as lowly paid as they are today, I am afraid the chances of corruption are very much more. We are in touch with the States and are urging on them to upgrade the whole thing and instead of leaving it to the Sanitary Inspectors, to appoint really qualified Food Inspectors. This will involve a certain amount of money. That is why I said in my opening remarks that I am calling a meeting of the Health Ministers of the States to again impress upon them this point.

Now, hoteliers are consumers in a way, may be not individually, but because thousands of people or, probably lakhs of people eat in various hotels every day. The hoteliers also buy their products from the market. It is for this reason that, among the five representatives of the consumers, a point was specially made that one should be a hotelier

DR. SARADISH ROY: That way, all hoteliers are consumers?

DR. KARAN SINGH: They are not individual consumers but hotels are places where vast numbers of people eat everyday. Therefore we thought it important to include a hotelier.

Now, a suggestion was made by Dr. Kailas with regard to the Indian Medical Association. I may clarify that the Chairman of the Committee is the Director General of Health Services; he himself is the highest doctor. It is a good suggestion; we will certainly keep that in mind. We will like the full cooperation of the Indian Medical Association also, whether they are members of the Committee or not, but I would not like to make it necessarily there, because they have certain problems of their own; they may not have really the time. In the States, there are going to be separte committees; we are asking the State Governments to set up those committees.

An important point has been made as to why one sample is not going to be given to the vendor. Shri Modi and other friends made that point. I would like to clarify this. The previous position was that one sample was sent

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to the laboratory, one sample was given to the vendor and one sample was kept with the food inspector. Now here is a classic situation for corruption, because if the vendor and the food inspector collude, they change the sample and turn round and say that this is not adulterated. The Joint Committee looked into theis very carefully. We had originally proposed four samples; but ultimately we decided no sample to remain with the food inspector also and no sample to remain with the vendor, because obviously if a sample remains with the vendor, he would move heaven and earth to change it because he knows it is adulterated and he may go to jail. Therefore, we have now said, one sample will go to the laboratory and two samples would go to the local health authorities, which is not the food inspector, it is the District Medical Officer or some much higher officer. We feel that this new method is more likely to avoid corruption than the earlier one.

DR. KAILAS: Why not two samples to two different laboratories?

DR. KARAN SINGH: What we have provided in the Act is this. Let us say that the food laboratory finds the first sample adulterated. We have given that man the choice. We will write to him immediately that his sample has been found adulterated and if he wants to send the other sample which is with the health authorities. We have also given the right to Government, because sometimes it has also been put before us that the laboratories also do collude with the big manufacturers If we are sure that it is not, we have taken the power to send another sample to yet another laboratory What we have tried to do is a new system of checks and balances to prevent collusion both at the food inspector's level and at the laboratory level. I would submit that this new mehod that we have introduced is a major improvement of the old system, and I think, it would work better. I am not saying that the corruption can be totally done away with, but as many hon. Members have said, this is really a question of national character. It is a question of the whole methods of the society. If corrupt people know that they can flourish, get big patronage, can be wined, dined and attened and have a privileged position in society, these evils will continue. If on the other hand, a public opinion is created, that would make a big impact.

If I may digress for a minute, when I was doing Ph.D. on Sri Aurobindo, I found that in 1905 at the time of partition of Bengal, the theory of social boycott first came to the force, that those people who collaborated with the British, the best way is to socialy boycott them. I would go to the extent of saying that those people who are known as adulterators, if society would treat them with certain amount of derision instead of giving them honour it would make a difference.

DR. KAILAS: But Government patronises such anti-social persona because they are rich or resourceful.

DR. KARAN SINGH: When I say society, I am neither saying Government nor position ;I am talking of the nation as a nation. What we need is a new moral fervour, but that is a different question.

Another point that has been raised by many hon Members is the question of the small man and the big man. It is, no doubt, true that the richer people, who adulterate, really more attention should be paid to them in our implementation of the Act. I feel that it is better to catch one big fish really effectively rather to that it is better to catch one big really effectively rather to catch hundred of small sardines.

However, I would submit that for the consumers, their contact really is with the retailors. The consumer does not buy his requirements from the wholesalers. Therefore, we cannot let off the retailors, because ultimately we want to protect the consumer. Our priorities are first to protect the consumer. That is the overriding priority. Then the smaller man who is usually the retailer, then the wholesaler and then the manufacturer. So, what we have tried to do is that we have tried to get all these. Whenever a small man is caught, a small retailer is caught, we can automatically implead the wholesaler through the cash memo or the warranty. Previously, the wholesalers refused to give warranties. They used to say, 'Either you take our goods or you do not take.' Now, we have said that even a cash memo or the invoice will be sufficient as a warranty...

SHRI DINESH CHANDRA GOSWAMI: Cash memo under the rules is a warranty.

DR. KARAN SINGH: Somehow there was some problem. We have changed it so that they can more effectively implead the wholesaler. Not that we want to harass the wholesaler also. But if the wholesaler is largely responsible, I agree there that he is the one who should be caught rather than the retailer. But we cannot let any of them out of our net

A lot of points have been made. Mr. Bharat Singh Chowhan and others made points with regard to public cooperation and also many of our friends here like Shri Shailani and Dr. Kailas I entirely agree with the suggestion that the Zila Parishads, the Panchayat Parishads and the Panchayats should also be associated. It is a good suggestion. We will also be trying to get the Citizens' Counsils, Voluntary organizations and women's organizations involved in it. I have taken power to give directives to the States. When we meet the State representatives in April, we are going to impress upon them the necessity of trying to involve the broadest possible spectrum of the public, beause it is only—here I agree with what the hon. Members have said—when the public are fully involved in this and when every citizen looks upon this as a responsibility of his own, that we will solve this major menace and without that, it is not possible.

Now, I am coming to Mr. Goswami. My friend, Mr. Dinesh Chandra Goswami has got a very keen legal brain and he has rightly said as he has dealt with certain cases under the old Act and, therefore, he no doubt speaks from a good deal of authority. Clause 17, as I explained, was put in as a result of a definite suggestion made by the Select Committee with regard to this whole problem of directors and whether they should be made culpable or whether they should not be made culpable. Now, what we have done is that we have tried on the one hand to prevent unnecessary harassment to the directors who will not be directly involved but the provisions that we have made do not wholly in any way safeguard the directors. It says—clause 17:

> "Notwithstanding anything contained in the foregoing sub-section...

Where the nomination comes in.

> "..if it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect of a director, manager or any other officer, not being a person nominated, he shall be liable"

Therefore, we have not put a blanket protection to the director. What we are saying is that because tourism is particularly a multi-chain operation, therefore, these individual units should be more responsible Now he has raised a point and, I must say, that it is a point which deserves careful atten-

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tion. His fear is that this *bona fide* sion for tourism will be misused by firms in order to get bogus people on their records as managers and send them to jail. This is certainly a point. No law can be made foolproof, but I can assure the hon. Member and through him the House, that we will keep a special watch on this aspect and I will tell the State Governments to be particularly careful with regard to this and if I find that this provision which we have put in, in order to prevent avoidable harassment to the tourist trade, is being misused by firms, I will be the first one to come immediately with an amendment. I certainly agree—I am grateful to him for having drawn my attention to this point—that this was never the intention at all of the committee but, he says rightly as a lawyer, it is open for anybody to misuse it. I will certainly look into that.

The hon. Member also raised the point: why is it that when the imprisonment is given, the Directors' report is not taken as final? Now, it is not that we question the authenticity of the report. The thing is that the committee felt that where a person is going to be sentenced to life, he should at least have the power to cross-examine the director because, after all, life imprisonment is a fairly draconian punishment. Really all that we have done is that we are not questioning the authenticity of the Directors' report but in cases where this punishment is given, we are allowing for corss-examination which I think, under the circumstances, is not unfair.

SHRI M. C. DAGA: If in cross-examination, it loses its importance, then what will happen?

DR. KARAN SINGH: Then the Director should be moved against if it is found that he is guilty.

Another point which Shri Goswami raised was that a fesh look was required at the entire spectrum of specification I must say that the Committee also felt it. Many of the specifications that we have laid down, it was put before us in evidence, are perhaps too rigid in some ways and some people complained that you put specifications of America and Canada but here the conditions are different| Also Mr. Modi mentioned about this question of varying milk standards. I may tell you, from my home town—Jammu—some people came and they said if the standards of Punjab and Haryana were applied to Jammu, all the dairies in Jammu would be closed down and the people would go behind the bars. We simply cannot match them. I may clarify, there are different standards for different regions and States. We have laid down that for different regions we can have different standards in milk. Also, with regard to milk, the Committee has made a special suggestion. I will, perhaps, set up a small study group on this dairy problem to see what exactly can be done to prevent adulteration on the one hand and to prevent harassment to the milkmen and *gwalas* on the other.

Shri Sequeira is not here. Perhaps, I can skip over the point that he made. He said that continuously this should be monitered and as I said in my opening remarks, the implementation machinery is being geared up.

Shri Desai spoke of the low nutritional value and of the flourishing trade of adulterator. Somebody mentioned about Papeets seed. I was horrified to leaern that horse dung is sold as 'garam masala' which is absolutely incredible. It came as a revelation to me. I never realised human ingenuity should be stretched to such a limit that dung can be used—

लीद को मसाला बना कर बेचते हैं, इस से घोर कलियुग और क्या होगा, आप बताइए।

This is really something absolutely fantastic and as Shri Desai said advanced technology is being used to manufacture it. The latest technology, in Gujarat particularly is being used to manufacture small seeds which look like rice.

Somebody asked a question about paddy and rice. Now, I would clarify that also. Paddy is a primary food because paddy is in its natural state. Rice is not a primary food because firstly, it has a husk. There is human intervention. Secondly, rice is often adulterated by addition of apparently little small pieces which look like rice. Therefore, we were not able to look upon rice as a primary product. Standards for food grains are largely physical, not chemical with permissible limit of admixture. So, it should not cause very great problem in its implementation.

Shri Daga and others mentioned about the Food Inspectors. They mentioned that there was a wide spread report that the Food Inspectors are often in collusion with the adulterators. I am afraid, our reports also show that this is often the case and I have no hesitation in saying that in the implementation of the Act, so far a great deal of collusion has taken place and, therefore, now under the emergency, particularly one of the advantages is that we can more strongly against the government servants which we could not do earlier. I have determined. I have laid down. I told the Committee and I would like to tell the House that we intend to take the most drastic action against the Food Inspectors who have been found in collusion.

They are not covered by this Act. Some Members wanted them to be covered by this Act. But, it was clarified that all Government servants are already covered by the Service Act, by the Prevention of Corruption Act and I.P.C. But, in the implementation of this Act, we will certainly see that wherever collusion is proved, in the same way as we are taking drastic action to punish the adulterator, we will also take action to punish the erring officials. I agree that until officials also cooperate, this Act will become a dead-letter. This business of fixed income for all the food inspectors and so on, I am afraid, reflects once again the general atmosphere of laxness, indiscipline and corruption that existed which we are now trying to improve. The important part of the emergency is a general improvement in discipline and in implementation, I think, this is a good opportunity for us to get off to a good start with this Bill.

DR. KAILAS: What about the delay in getting the results from the food laboratories?

DR. KARAN SINGH: Mr. Daga also mentioned about the laboratories. So also Dr. Kailas. As I said, we are raising the number of appellate laboratories from one to four. But, that does not mean that the States should not have their own laboratories. As I said in my opening remarks, in every State, we are going to encourage setting up of really good food and drug laboratory. Drug of course is a different point. It also is a very major problem. For the drug laboratories, I will come before the House, I hope, in the course of this year with another very comprehensive Bill for drugs and cosmetics on this line. As I said, we want to set up a combined food and drug laboratory in every State. Not only that. A point was also raised—not to-day—on the control markets and mandis and so on. We will try and encourage the setting up of proper laboratories with standardised testing techniques because, if laboratories use different techniques, they come up with different results. So, the standardisation of the testing laboratories also is tremendously important. We are seized of the matter. We have got expert reports on it and we will pass on that information to all the States to see that they are adopted, as far as possible

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Shri Mavalankar spoke again of public opinion and of the involvement of voluntary organisations. Shri Shukla, I think, mentioned this business of admixture. The admixture is only safe if both the things mixed are non-injurious to health. Therefore, if kesari dal is there and if it is injurious it will not, as such, be exempted, it will come within the purview of this Act. I would like to make that very clear. The admixture is only safe, for example, in the case of jowar and wheat and all that sort of thing. Both of them are non-injurious (*interruptions*). Water is a very difficult problem because, after all water is polluted and water causes gastro-enterities, cholera and all that. If water is impure and when impure water in added to the milk, that becomes dangerous to health but when pure water is added to milk, it is adulterated but not dangerous to health. So, the water and milk problem is rather ticklish. We will look into it very carefully. On what else needs to be done. (*Interruptions*. Milk, because of fat content, comes within the purview of this Bill. But, the milk is covered by the bill. (*Interruptions*). But, if water is not added, then it will be substandard, if it is added, then it will be an adulterated one.

MR. SPEAKER: The Bill means what it is. That is all a question of opinion and interpretation.

DR. KARAN SINGH: A lot of my other friends have spoken—Shri Yadav, Shri Jagannath Misra and Shri Nathu Ram.

इन सभी ने बड़ी महत्वपूर्ण बातें कही हैं। एक तो इन्होंने यह कहा है कि जब तक जन-जागृति नहीं होगी तब तक यह कार्य सफल नहीं हो सकता। मैं बिल्कुल इन से सहमत हूं। पंडित जी ने भी यह बात कही है कि जन-जागृति होनी चाहिए। मैं यह समझता हूं कि जिस प्रकार से हम परिवार नियोजन आदि के बारे में प्रचार कर रहे हैं, उसी ढंग से खाद्य पदार्थों और अन्न में जो मिलावट है, उस के बारे में प्रचार हो और इस के लिए मैं कहूंगा कि डी० ए० वी० पी० द्वारा प्रचार हो जिस से जन-साधारण को जानकारी हो और यह उन्हें कहे कि इस प्रकार की कोई चीज मिले, तो उन को क्या करना चाहिए।

They must also know. It is no use just educating the public unless they know what they are to do, where they can go to complain, where they can go to make a report and so on. So this is being taken care of.

16 hrs.

One point which, I think, is important—Shri Goswami also raised it; I forgot to mention it—is this: why is it that we have now said that a sample should not be taken from the consumer? The Committee felt that after all, the consumers are housewives. Once you give the food inspectors power to take samples from private homes, they can unnecessarily harass somebody by breaking into his house, by saying 'We have come to take samples'. Your wife may be cooking some delicious dishes like idli, dosa or papadam and somebody comes to take samples. The Committee thought that it was wiser to prevent this possible misuse, particularly in the rural areas and small towns, by food inspectors breaking into individual houses.

DR. KAILAS: The consumers are going to complain as they are harrassed.

DR. KARAN SINGH: They are going to complain in any case. But I do not think that this weakness the prosecution because the prosecution, as I understand it, will take place as a result of a sample taken from store during sale or store for sale. I agree there may be some ingenious method

whereby somebody can keep one tin behind and bring it. I am not suggesting that ingenuity will not find some kind of a way, but broadly, I feel we have tackled it.

SHRI DINESH CHANDRA GOSWAMI: Please also ask your officers to keep a watch and see whether they can avoid it.

DR. KARAN SINGH: Yes, we will do that. The point is well taken. I wanted to explain why it was that we have done this.

I think, by and large, I have covered all points except those made by Shrimati Sahodrabai Rai.

श्रीमती महोदरा बाई ने दो बडी महत्वपूर्ण बातें कही हैं और सुझाव दिये हैं। एक तो अस्पतालों में जो जो दवाइयां दी जाती हैं उनके सदुपयोग के बारे में है। उन्होंने कहा है कि इनका दुरुपयोग नही होना चाहिये और जहां कहीं किसी कर्मचारी को दुरुपयोग करते हुए पकड़ा जाए उसको कड़ी सजा होनी चाहिये, उसके खिलाफ कड़ी कार्यवाई होनी चाहिये। मैं उन से इस बात में सहमत हूं। ऐसा अवश्य होना चाहिये। हमने कह भी रखा है इसके बारे में अपने अस्पतालों को।

दूसरे उन्होंने परिवार नियोजन के बारे में कहा है कि प्रत्येक व्यक्ति को यह करना चाहिये फिर चाहे उसका कोई भी धर्म हो। मैं उन से बिल्कुल सहमत हूं। किसी और समय पर अगर मैं आऊंगा सभा के सामने तो परिवार नियोजन के सम्बन्ध में और भी बहुत से विचार रखूंगा। मुझे आशा है कि अगले सेशन में मुझे समय मिलेगा तो मैं परिवार नियोजन के बारे में मेरी जो नई विचारधारा है उसको मैं आपके सामने रखूंगा।

इन शब्दों के साथ मैं माननीय सदस्यों का धन्यवाद करता हूं कि..

SHRI S. M. BANERJEE: The Deputy Minister is here. A delegation met him. He was convinced.

डा० कर्ण सिंह : पान मसाले के सम्बन्ध में कुछ लोग जो हमारे सामने आए थे कहा कि पान मसाले को इसमें से निकाल दिया जाए। हमने उस बात को नहीं माना क्योंकि जो पान खाने वाले हैं उनका स्वास्थ्य हमें बहुत प्रिय है। अगर हम पान मसाला न दे और वे पान में कुछ और गलत चीजें डाल दें तो हमारे मित्रों का स्वास्थ्य खराब हो जाएगा। इस वास्ते हम पान मसाले को निकालना नहीं चाहते है, रखना चाहते है। दूसरे बनर्जी साहब ने सैक्रीन के सम्बन्ध में कहा कि उसको डालना उचित है या नही, मैं समझता हूं कि यह एक ऐसा प्रश्न है जिस के बारे मे मैं सब कागज मंगा करके स्टैंडिंग कमेटी से कहूंगा कि वह इसके उपर पुनर्विचार करे और अगर सैक्रीन स्वास्थ्य के लिए खराब है—

श्री एस. एम. बनर्जी : सैक्रीन की बात नही है। आप विश्वास करे कि चीनी बरसात में रहेगी नही उस में।

डा० कर्ण सिंह : चीनी अगर पड नही सकेगी और सैक्रीन स्वास्थ्य के लिए खराब है तो मेरी विनम्र प्रार्थना है कि बरसात के मौसम में पान खाना बन्द कर दें। यह तो मैं नही कर सकता हूं कि पान भी खिलाता जाऊं और आपका स्वास्थ्य भी बिगाड़ता जाऊं। ऐसा करना ज्यादती होगी। इसको मैं देख लूंगा

श्री एस. एम. बनर्जी : जरा सुन लें। आप बैठ जाएं तो मैं बोलूं।

[श्री एस० एम० बनर्जी]

फिराक गोरखपुरी ने कहा था :

श्रास ले एक रोज भादा जिन्दगी के वास्ते
सिर्फ सेहत के सहारे जिन्दगी कटती नहीं

डा० कर्ण सिंह : वह तो ठीक कहा लेकिन सेहत के बगैर भी जिन्दगी बहुत मुश्किल से कटती है बनर्जी साहब ।

अन्त में मैं यह कहना चाहता हूं कि पंडित जी और दूसरे मित्रों ने कहा कि हमारे राष्ट्रीय चरित्र में परिवर्तन की आवश्यकता है, यह बिलकुल ठीक बात है। मुझे भगवद्-गीता का एक श्लोक याद आ गया है —

यद्यदाचरति श्रेष्ठः तत्तदेवेतरो जनाः ।
स यत्प्रमाण कुरुते लोकस्तदनुवर्तते ।।

जिस प्रकार का आचरण हमारे जो श्रेष्ठ हैं, वे करते हैं, उसी प्रकार से लोग चलते हैं। इस देश में हमारे संसद्-सदस्यों से श्रेष्ठ तो कोई और व्यक्ति होंगे नहीं, क्योंकि इस देश के रहने वालों के वे प्रतिनिधि हैं। अगर संसद-सदस्यों का पूरा सहयोग हमारे साथ हों, और हम जो सारे देश में प्रचार कर रहे हैं, उसमें वह हमारा हाथ बंटायें तो हम जो आज यह विधेयक पास करने जा रहे हैं, मैं समझता हूं कि अवश्य ही यह ऐतिहासिक कदम होगा और हमारे देश का जो अराष्ट्रीय चरित्र है, और जो करप्शन की भावना चली है, यह उसके विरुद्ध एक बड़ा कदम होगा । यही मेरा निवेदन है।

श्री विभूति मिश्र : आप रेडियो से स्वास्थ्य के बारे में 5 मिनिट का प्रचार करवाया कीजिये ।

डा० कर्ण सिंह : माननीय सदस्य का अच्छा सुझाव है।

श्री श्रीकिशन मोदी : मंत्री महोदय ने अभी बताया कि चौथा सैम्पल इसलिये नहीं रखना चाहते हैं कि उसके बदलने की संभावना है। आपने जो नियम इसमें बनाये हैं उसके अनुसार सारे सैम्पल लोकल हैल्थ आफिसर के पास रहेंगे । इसलिये अगर चौथा सैम्पल उसको दे देते हैं, जिससे सैम्पल लेते हैं, तो उससे क्या नुकसान होता है ?]

डा० कर्ण सिंह : जिस आदमी को हम सैम्पल देंगे, वह तो अपना सैम्पल बदलेगा ही बदलेगा । फिर अगर हम भेजेगें तो वह कहेगा कि यह वह नहीं है। उस दोषी को सैम्पल देना, उससे यह प्रार्थना करना है कि आप इसको रखिये, इसको बदलवाइये ।

श्री सतपाल कपूर (पटियाला) : मेरा सुझाव है कि चौथा सैम्पल डिस्ट्रिक्ट मजिस्ट्रेट के पास रखवाना चाहिये । क्योंकि जो हैल्थ आफिसर है, जिस पर आप डिपेंड करते हैं, जिसको आप मेन एजेन्सी मानते हैं, करप्शन उसी से शुरू होती हैं। वह हजारों रूपया खाता है। आप डिस्ट्रिक्ट जज के पास चौथा सैम्पल रखिये ।

SHRI P. G. MAVALANKAR: The hon. Minister rightly emphasised the need for consumers' movement to be extended in our country. Would he spell out a little more the concrete ways in which the government can come forward and help grow a voluntary movement of consumers, especially in terms of what he rightly said, even going to the extent of boycotting guilty people... (*Interruptions*). I did say that we are also responsible when we sit in judgement over adulterators; I said that.

DR. KARAN SINGH: Under this Bill the only thing that we are doing is to increase five members; we will try and take representatives of the consumers voluntary organisations and we will request the States particularly at the state level to involve those organisations in the implementation of the Act as far as possible.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Prevention of Food Adulteration Act, 1954, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now we take up clause-by-clause consideration. Clause 2. There are some amendments.

Clause 2—(*Amendment of section* 2.)

SHRI BHARAT SINGH CHOWHAN: I beg to move:

Page 2, line 24,—

after "natural" *insert* "or technical" (13)

Page 3, line 23,—

after "natural" *insert* "or altered" (14)

SHRI M. C. DAGA: I beg to move:

Page 2,—

after line 26 *insert*—

"Provided further that where the quality or purity of the article being primary food, has fallen below the prescribed standards or its constituents are present in qualities not within the prescribed limits of variability and where such article is a substandard food but not an admixture in the primary foods and in either case solely due to natural or technical causes and beyond the control of human agency and not injurious to human health, then, such article shall not be deemed to be adulterated within the meaning of this sub-clause or Act" (17)

Page 3,—

after line 23 *insert*—

'*Explanation*: Produce of agriculture and horticulture in its natural form" means and include all primary foods dehusked or milled broken as pieces but do not include admixtures beyond the permissible specifications and standards prescribed under Rules." (18)

Page 3, line 23,—

for "in its natural form"

substitute "in its natural or dehusked or split form." (20)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 2,—

after lino 26, *insert*:—

"Provided further that if the infestation is due to natural causes like dampness and the presence of imperceptible insects in the primary food, the said article shall not be deemed to be adulterated even if it is insert infested." (29)

MR. CHAIRMAN: Shall I put all the amendments together?

SHRI M. C. DAGA: Kindly allow me two minutes.

MR. CHAIRMAN: You have already spoken.

SHRI M. C. DAGA: Not regarding this amendment. Kindly allow me to speak. I hope the minister has not made up his mind not to accept any amendment because the Rajya Sabha

[Shri M. C. Daga]

has already endorsed it. My amendment reads as follows:

MR. CHAIRMAN: It has been circulated. Please give your arguments.

SHRI M. C. DAGA: The American law on this point is this:

> "Under the wording of, or the construction placed upon some statutes, there is adulteration where the substance is diluted or is depreciated in quality, where it fails to come to the standard set up by law as to its ingredients or where any foreign substance, wholesome or unwholesome, is added."

Suppose no human agency is involved. There is no admixture and it is primary food. You have defined primary food as:

> " 'Primary food' means any article of food, being a produce of agriculture or horticulture in its natural form."

Take, for example, *gram* in its natural form. Suppose it is broken into two parts. It will not be tantamount to admixture. It is not injurious to health. The low is,

> "The word 'adulteration' as used in the Act is not meant to connote mere mixing of things or combining of substances but the admixture of articles of food in such a manner as to be capable of producing the effects enumerated in sub-clauses (a) to (1) of clause (1) of section 2."

So many High Courts and the Supreme Court have given decisions on this. The Chairman is a lawyer himself and he will appreciate my argument. The proviso as it is in the Bill reads thus:

> "Provided that, where the quality or purity of the article, being primary food, has fallen below the prescribed standards or its constituents are present in quantities not within the prescribed limits of variability, in either case, solely due to natural causes and beyond the control of human agency, then such article shall not be deemed to be adulterated within the meaning of this sub-clause."

I have said in my amendment "but not an admixture in the primary foods" and I have added "technical causes" after "natural". I hope he will accept my amendment.

श्री रामावतार शास्त्री : सभापति महोदय, यह जो पृष्ठ 2 पर धारा 2 मे प्राविज़ो है जिस को उन्होंने पढ़ कर सुनाया जिस में कहा गया है कि अगर प्राकृतिक कारणो से या मानवीय नियंत्रण से बाहर की बात हो, उसकी वजह से मापदण्ड म घटिया खाद्यान्न हो तो उसको डल्टरेटेड नही माना जायगा, मैं चाहता हूं कि उस में एक प्रोवाइज़ो और जोड़ा जाय। वह प्रोवाइज़ो पता नही मन्त्री जी ने पढ़ा है या नही, उस को मैं पढ़ देता हूं। वह इस प्रकार है :

> "Provided further that if the infestation is due to natural causes like dempness and the presence of imperceptible insects in the primary food, the said article shall not be deemed to be adulterated even if it is insect infested..'

नमी की वजह से अगर इस तरह की कुछ सब-स्टैंडर्ड चीज हो जाय जिस में मिलावट ऊपर से नहीं है तो उसको भी मिश्रित नही मानना चाहिए। इस संशोधन को मान लेना चाहिए ताकि इस के कारण किसी को कानून की गिरफ्त में न लिया जाय।

श्री भारत सिंह चौहान : सभापति महोदय, जो बातें इस में कही गई हैं उन के आधार पर ही यह अमेंडमेंट मैं ने दिया है। मेरा अमेंडमेंट यह है कि पृष्ठ नं० 2, लाइन 24, आफ्टर नेचुरल, इनसर्ट टेकनिकल अननेस्सरी हैरेसमेंट का परेशानी न बढ़े इस दृष्टि से मैं ने यह रखा है। उसमें होगा क्या कि पैंडी है उस को प्रोसेस किया जाता है, प्रोसेस होने पर उससे चावल बनता है। वह चावल वही सब-स्टैंडर्ड के रूप में सामने आजाय तो ट्रेडर्स को भी परेशानी होगी और बहुत सा काम इस से रुक जाने की संभावना है। अननेसेसरी परेशानी उन को इस कायदे के अनुसार होगी। इसलिए मेरा सुझाव है कि नेचुरल और टेकनिकल ये शब्द होने चाहिए।

दूसरा अमण्डमेंट है-पृष्ठ नं० 3 पर नेचुरल जो है उसमे "आर आलटर्ड" जोडा जाय।

तीसरा पृष्ठ न० 4 पर है, लेबोरेटरीज के बारे में बहुत कुछ कहा गया है, उस संबंध में "लेबोरेटरीज फार रेगूलेटेड मार्केट" यह अगर हो जाय तो बहुत सी जो शिकायते या परेशानियां होती हैं वह मिट जायेगी।

MR. CHAIRMAN: You are speaking on other amendments also.

DR. KARAN SINGH: I would like to point out one important fact. In the previous Act, all produce was covered by the Act. We have made a very special move to take out all this produce which is sub-standard partly due to natural causes beyond human control. Now to add the word 'technical', as Mr. Daga and Mr. Chauhan have pointed out, would be very dangerous because under the plea of technical difficulty, all the people will get away. And I would also submit to Shri Shastri who has spoken of imperceptible insects. Imperceptible insects are more dangerous than perceptible insects. The more invisible the insects are, the more are they dangerous—whether they are political insects or biological insects. Therefore, I would strongly urge on him to drop his amendments.

MR. CHAIRMAN: I shall now put amendments Nos. 13, 14, 17, 18, 20 and 29 to the vote of the House.

Amendments Nos. 13, 14, 17, 18, 20 and 29 were put and negatived.

MR. CHAIRMAN. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(*Amendment of section 3.*)

MR. CHAIRMAN: Clause 3, amendments Nos. 1, 2, 3 and 30.

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 3, line 37,—

for "one' substitute "two" (1)

Page 3, line 38,—

add at the end—

"including one representative of the hotel employees." (2)

Page 3,—

after line 38 *insert*—

"(ggg) two representatives from the All India Medical Association". (3)

[Shri Ramavatar Shastri]

Page 3, line 34,—

after "commercial" *insert*—

"retail Kirana merchants or the retail grain dealers" (30)

MR CHAIRMAN. Mr Daga are you moving your amendment?

SHRI M C DAGA· Yes, Sir I beg to move.

Page 3, lines 34 and 35,—

for "agricultural, commercial and industrial interests"

substitute "interests of the agriculture, commerce, industry and foodgrain trade" (21)

श्री रामावतार शास्त्री : सभापति महोदय, मैं इन सशोधनो पर नही बोलता लेकिन मैंने जिन सवालो को अपने भाषण के क्रम मे उठाया था उनमे से एक का भी जवाब मंत्री जी ने नही दिया। मंत्री जी को आजादी है, जवाब दें या न दें।

मैं ने सवाल उठाया था कि जहा होटल उद्योग के एक प्रतिनिधि को आप रखना चाहते है परामर्श दात्री समिति मे वहा उसके दो प्रतिनिधि कर दीजिए। एक प्रतिनिधि कर्मचारियो मे से भी रखिए। इसका समर्थन किसी और सदस्य ने भी किया था लेकिन उसका जवाब आपने नही दिया कि यह सही है या गलत है। तो मैं समझता हू यह बात होनी चाहिए क्योकि इससे मदद मिलेगी मिश्रण करने वालो से खाने वालो को बचाने मे।

इसी तरह से मैं ने आल इंडिया मेडिकल एसोसिएशन की बात कही थी लेकिन उसका मंत्री जी ने जवाब नही दिया। आपने कहा इसको ध्यान मे रखेंगे और उनकी सेवायें लेंगे लेकिन वे काम से बहुत बोझिल होते हैं, वे शायद इतना मौका नहीं निकाल सकते हैं। मैं उन्हीं की राय रख रहा हू क्यो कि मेरी बात उनसे होती है डाक्टरो से ताल्लुक होने की वजह से। तो इससे आपको लाभ होगा। आल इंडिया मेडिकल एसोसिएशन में आप उसी जैसे रखेंगे जोकि उसमे दिलचस्पी रखते होंगे और जो जानकार होंगे हालाकि जानकार सभी होते हैं। तो उनको भी रखा जाना चाहिए लेकिन आपने यह कहकर टाल दिया कि वे शायद पसन्द न करे।

तीसरी बात यह है कि एक प्रतिनिधि रिटेलर्स का होना चाहिए। मैंने शब्द किराना मर्चेन्ट इस्तेमाल किया है। इस प्रकार के जो छोटे छोटे दूकानदार होते है उनके एसोसिएशन भी होते हैं तो उनके प्रतिनिधियो को भी रखिए क्योकि अगर आप उनकी मदद नही लेंगे तो आपको इस पवित्र उद्देश्य मे सफलता नही मिलेगी। तो इन तीनो पर विचार करना चाहिए और तीनो को उसमे रखना चाहिए।

SHRI M C DAGA Section 3 says:

'The Central Government shall, as far as may be after the commencement of this Act constitute a Committee called the Central Committee of Food Standards"

and you are not having any member from the foodgrains trade

MR CHAIRMAN Your amendment does not speak of anything like that

SHRI M C DAGA· My amendment provides for "interests of the agriculture, commerce, industry and foodgrain trade"

MR CHAIRMAN: That will be covered by the word "commerce".

DR. KARAN SINGH: May I clarify the position? This Committee is going

to consist of 44 members, headed by the Director-General of Health Services, who is a doctor, the Director of the Central Food laboratory, two experts of the Health Ministry, also doctors, one representative of the Department of Food, one of the Department of Agriculture, one of Commerce, one of Defence, one of Industries and Supplies, one of Railways and one of every State Government, two representatives from the Union Territory and so on. Shri Shastri suggests the inclusion of foodgrains dealers. There is already provision for agricultural, commercial and industrial interests. He suggests one representative of producers, wholesalers and retailers.

SHRI M. C. DAGA: You are including agriculturist.

MR. CHAIRMAN: The term "commercial" will cover that.

DR. KARAN SINGH: We are saying "one representative of agricultural, commercial and industrial interests". Foodgrains dealers will come in that.

For the ICMR there is a representative. As I have pointed out, there are at least five doctors in this committee. That is why I said that we will keep in mind his suggestion.

जहां तक होटल कर्मचारियों की बात है— मेरी प्रार्थना है कि होटल कर्मचारी होटल के चलाने के काम में ही रहें तो ज्यादा अच्छा रहेगा, होटल कर्मचारी को सैन्ट्रल फूड स्टण्डर्ड कमेटी में लाने का क्या लाभ होगा ? वैसे होटल इण्डस्ट्री का प्रतिनिधि हमने इस में रखा है- लेकिन जहां तक कर्मचारियों की बात है वे अपने अपने इस्टेब्लिशमेन्ट में या आर्गनिजेशन्ज में रहें तो वे अधिक लाभप्रद हो सकते हैं। सेन्ट्रल फूड स्टैण्डर्ड कमेटी में उनके लिए कोई विशेष कार्य नहीं है। फिर भी उनके लिए आने पर कोई प्रतिबन्ध नहीं है अगर लेना चाहेंगे तो ले सकेंगे।

MR. CHAIRMAN: I will now put the amendments to clause 3 to the vote of the House.

Amendments Nos. 1, 2, 3, 21 and 30 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill"

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—(*Insertion of new section 3A*)

SHRI M. C. DAGA: I beg to move:

Page 4,—*after* line 9, *insert*—

"3B. The Central or the State Governments shall appoint screening committees at all District Headquarters and at big regulated markets consisting of one representative each of the agriculturists, dealers and manufacturers and two official members and a Chairman to be appointed by the District Magistrate for scrutinising all the sample drawn by Food inspectors for determining whether they are fit to be forwarded to the public analyst and if the Committee decides in the negative, no further action in respect of the sample shall be taken but the Committee shall hear the food inspector and the party concerned before making a decision." (22)

Why don't you appoint a Committee? Why do you want to give power to one man?

DR. KARAN SINGH: If you keep having a committee to vet every prosecution, then no prosecutions are going to take place?

Shri M. C. DAGA: Who will give sanction?

DR. KARAN SINGH: The local health authorities. It must be fairly and squarely the responsibility of the food inspectors. Once you dilute it by saying that it has to be approved by a Committee, I would humbly submit that no prosecution can be launched.

SHRI M. C. DAGA: You are giving power to a single person.

MR. CHAIRMAN: I will now put amendment No. 22 of Shri M. C. Daga to the vote of the House.

Amendment No. 22 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 4 stand part of the Bill"

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5.— *Amendment of section 4.*)

SHRI RAMAVATAR SHASRI: I beg to move:

Page 4, line 19,—

after "institute" *insert* "of repute" (4)

SHRI BHARAT SINGH CHOWHAN: I beg to move:

Page 4, line 15,—*after* "Laboratories" *insert*—

"and laboratories for regulated markets" (15)

Page 4, line 20,—

after "Central Food Laboratory" *insert*—

"and laboratories at the regulated markets" (16)

MR. CHAIRMAN: I will now put amendments Nos. 4, 15 aand 16 to the vote.

Amendments Nos. 4, 15 and 16 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 5 stand part of the Bill"

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

Clause 7—(*Amendment of section 8*)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 5, line 3,—

after "analysts" *insert* "of repute and authority" (5)

SHRI M. C. DAGA: I beg to move:

Page 5,

after line 4, *insert*—

"Provided further that at least one public analyst shall be appointed at every District Headquarter and at big regulated markets." (23)

The Minister should accept at least this amendment.

DR. KARAN SINGH: May I submit, we have still not been able to establish proper laboratories even in each State capital? First of all, we have got to have four appeallate laboratories and then laboratories at the State level. Then comes the district level. I would certainly like to have laboratories at the taluk level and even at the tehsil level. But to put it in the Act which may not be immediately capable of being implemented will not be wise. We will, certainly, move towards that objective.

MR. CHAIRMAN: I put Amendment Nos. 5 and 23 to the vote of the House.

Amendments Nos. 5 and 23 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

MR. CHAIRMAN: Clause 8 There is Amendment No. 24 in the name of Shri M. C. Daga.

SHRI M. C. DAGA: I am not moving.

MR. CHAIRMAN: The question is:

"That Clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9— (*Amendment of Section* 11)

SHRI RAMAVTAR SHASTRI: I beg to move:

Page 8, line 31,—

omit "or without" (6)

MR. CHAIRMAN: I put Amendment No. 6 moved by Shri Ramavatar Shastri to the vote of the House.

Amendment No. 6 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clause 10— *Amendment of Section* 13.)

SHRI M. C. DAGA: I beg to move:

Page 10,—

omit lines 13 *to* 21. (25)

On page 10 of the Bill, it is stated:

"(2E) if, after considering the Report, if any, of the food inspector or otherwise, the Local (Health) Authority is of the opinion that the report delivered by the public analyst under sub-section (1) is erroneous......"

I say, all this should be deleted. First, the sample was examined by the public analyst and he gave his report. Now, it may be in favour of the person who was selling certain things. And you say, no. It will have to go to the local authority. The local authority can approach the Director and his opinion will be final. You do not believe your own person. You first send the sample to the public analyst and he gives a report. Again, you want that to be prolonged. How long you want to harass him?

DR. KARAN SINGH: For that matter, the food inspector is also my own person. But it is well-known that there is collusion between the food inspector and the vender sometimes.

SHRI M. C. DAGA: There is nothing like that ; that is your addition.

DR. KARAN SINGH: In order to prevent collusion between the food inspector and the vender, certain things have been done. Similarly, there were complaints before us that there, is sometimes the collusion between the public analyst and the vender. Therefore, we felt that when you give a right to the vender, to the accused, to appeal, why should the prosecution also not have a right to appeal? If I am convinced that here

[Dr. Karan Singh]

was a sample that was adulterated and the laboratory report says, no, I must have a right to appeal in the public interest.

MR. CHAIRMAN: I put Amendment No. 25 to the vote of the House.

Amendment No. 25 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

MR. CHAIRMAN: Clause 11. There is Amendment No. 26 in the name of Shri M. C. Daga

SHRI M. C. DAGA: I am not moving.

MR. CHAIRMAN: The question is:

"That Clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill

Clause 12—(*Amendment of Section 16.*)

SHRI RAMAVTAR SHASTRI: I beg to move.

Page 11, line 38,—

for "six months" *substitute* "one year" (7)

Page 11, line 39,—

for "three" *substitute* "five" (8).

Page 11, line 40,—

for "one" *substitute* "three" (9).

Page 12, line 40,—

for "three" *substitute* "five" (10).

Page 13, line 5,—

for "three" *substitute* "five" (11).

सभापति जी, मैं ने अपने पांचो संशोधनो के द्वारा सजा मे इजाफ़ा करने का अनुरोध किया है। मंत्री जी मैं और तमाम बोलने वालो ने कहा है कि मिलावट का काम, मिश्रण का काम राष्ट्र विरोधी और जन-विरोधी है, लेकिन आप सजा छः महीने निर्धारित करते है। मेरा कहना यह है कि बडे बडे स्कैन्डल होते हैं जिन मे जनता का बडा नुकसान होता है, इसलिए कम से कम एक साल की सजा की व्यवस्था जरूर रखिये। आप तो काले पानी और आजीवन कारावास तक की सजा दे रहे हैं लेकिन हम मे से बहुतो ने माग की थी कि कुछ को फासी भी दीजिए। उस को आप ने माना नही लेकिन कम से कम यह बात तो मान ले कि जो कम से कम सजा हो वह एक साल की हो। ऐसा होगा तो इस मिलावट को रोकने मे बहुत सहायता मिलेगी। दूसरे संशोधन मे मैं ने कहा है कि 3 साल की बजाए 5 साल कर दी जाए। अगर आप उस को नही मानते हैं तो कोई हर्ज नही है लेकिन कम से कम सजा छ महीने की बजाए, एक साल होनी चाहिए ।

डा० कर्ण सिह: जो बहुत बडा गुनाह है, उस के लिए तो हम ने आजीवन कैद रखी है। ठाकुर राजदेव सिह ने कहा कि फांसी पर लटकाना चाहिए। वह अभी तक नही किया है। मेरी अर्चना है कि इस बिल के द्वारा हम बहुत काफी आगे बढ रहे हैं और जो कम से कम सजा हम ने छः महीने रखी है, उसको जरा देखें। यह कम से कम सजा है और एक

सालों की सजा भी दी जा सकती है। प्रोविजन्स जो है वह छः महीने से ज्यादा है, इसलिए मेरा यह ख्याल है कि फिलहाल तो कम से कम सजा छः महीने रहनी चाहिये। उस के बाद देखेंगे और अगर इस से काम नहीं चलता है तो आगे चल कर बढ़ा सकते हैं।

MR. CHAIRMAN: I now put amendments Nos. 7 to 11, both inclusive, moved by Shri Ramavatar Shastri to the vote of the House.

Amendment Nos. 7 to 11 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

MR. CHAIRMAN: The question is:

"That clauses 13 and 14 stand part of the Bill."

The motion was adopted.

Clauses 13 and 14 were added to the Bill.

Clause 15— (*Amendment of Section 18.*)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 15, line 12, *Omit* "or without". (12).

MR. CHAIRMAN: I shall put this amendment to the vote of the House.

Amendment No. 12 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill

MR. CHAIRMAN: For clause 16 to 22 there are no amendments.

The question is:

"That Clauses 16 to 22 do stand part of the Bill."

The motion was adopted.

Clauses 16 to 22 were added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

DR. KARAN SINGH: I move:

"That the Bill be passed".

MR. CHAIRMAN: Motion moved:

"That the Bill be passed."

*SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Chairman, Sir, I would like to be very brief in presenting my views on the amending Bill that has been introduced by the hon. Minister to curb the evil of adulteration in food articles There can be no quarrel with the provisions of the Bill and everyone in this House will agree that adulteration is a national evil and a social crime which needs to be uprooted from this country. But the question really is how should we approach the matter. We have to go into the basic causes that give rise to this anti-social practice. In my opinion, Sir, it mainly arise out of the fact that there is a wide disparity between the different sections of the society, i.e., some are very rich while others are very poor. The

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*The original speech was achieved in Bengali.

[Shri Krishna Chandar Halder]

craze to become rich overnight and to become richer still is surely the motivating factor which gives rise to this crime. Unless we are able to bring about a social revolution and end the social disparities that exist today the provisions of the present Bill may not go very far to achieve its objectives. As a result of wide spread adulteration of food stuffs and drugs we find more and more people falling sick and we are to make better provisions to meet the needs of the ailing people of our country. I very honestly feel Sir, that the allocations that we make for the betterment of public health should be more than what it is at present and in fact the provisions should be more than our military expense. It requires a good deal of deep thinking on the part of the Government to devise measures to eradicate this evil other than those which have already been provided for in the Bill. The Bill has already provided for setting up of laboratories in the different zones of the country and the hon. Minister has already said that severe punishment will be given to those inspectors who are found shielding the adulterators. So far so good. I would however like to submit in this connection that we have to intensify our vigilance at all levels, i.e., at the factory level where dalda, mustard oil and other food articles are produced, at the wholesale level and also at the retail level. For this purpose I would suggest to the hon. Minister that he should set up an intelligence wing under his own Ministry. This wing will locate the different sources of corruption and the persons concerned therewith and inform the authorities in time so that adequate action is taken against them. Many members have already suggested and I also feel that utmost vigilance should be exercised to ensure that there is no collusion between the enforcement officials and the adulterators and such erring official should be dealt with severely. While this is obviously a right step in the right direction, I would suggest that the honest officials who help to detect such adulterators should be suitably rewarded. It should also be ensured that they are allowed to function independently and no political pressure either from the Government or from any other quarter is brought to bear upon them. Unless this is done implementation of the Bill would be seriously affected.

Finally, I would submit that a legislation of this nature call for people's participation on a much wider scale. In fact we should wage a people's war against the adulterators and for this we should solicit the cooperation of the Krishak Sabha, students organisations, trade unions and voluntary organisations for this purpose. With these words I conclude.

SHRI P. GANGADEB (Angul): I will raise only two points which, though touched by Members, have only been touched lightly.

It has been stated in the Bill itself that if foodgrains become substandard due to causes beyond control and are not inimical to health, then such foodgrains will not attract the penal provisions of this Act as long as the foodgrains are in their natural form. What does this mean? Paddy is the natural form of rice. It is converted into rice before it is consumed, but rice is not the natural form. I would like a clarification. May I, therefore, ask: will rice which is not in its natural form attract penalty?

SHRI DINESH CHANDRA GOSWAMI: He has clarified it.

SHRI P. GANGADEB: But that is not clear to me. Take again wheat. It is consumed as *atta* or *suji* or *maida*. To me, there seems to be a lacuna and

I feel this should be rectified by an amendment of the relevant provision or by issuing broad guidelines under the law which should be followed.

Another point I wish to make here In a particular State the climatic conditions may be different from those of another State Naturally therefore, if the foodgrains of that particular State might be of substandard *vis-a-vis* the foodgrains of the rest of the country in that case how does the government ensure that the exemption given only to the foodgrains of that particular State is not misused by others, especially when foodgrains can be moved from one State to another

I am not making these points to criticate the healthy provisions of the Bill but only to clear myself as to how the law is going to be implemented in such cases

With these words, I support the Bill

श्री कमला मिश्र 'मधुकर' (केसरिया): सभापति महोदय, मै आपके माध्यम से मंत्री महोदय को यह विधेयक लाने के लिये धन्यवाद देता हू। इस बारे मे काफी समय से राष्ट्र की माग रही है, क्योकि अपमिश्रण या मिलावट के कारण जनता का जीवन दूभर हो गया है। उसके जीवन पर जो इसके दुष्परिणाम हो रहे हैं, उनको खत्म करने के लिये सरकार ने इस विधेयक के रूप मे एक कदम उठाया है।

मंत्री महोदय को भारतीय साहित्य और उपनिषदो का अच्छा ज्ञान है। उपनषदीय ज्ञान के कारण मंत्री महोदय मे जो सहृदयता पाई जाती है, उसके कारण इस बात को भुला दिया है कि जो लोग एडल्ट्रेशन करते हैं, वे राष्ट्र और पूरे समाज के साथ द्रोह करते हैं। मंत्री महोदय मे उन द्रोहियों के प्रति ममता-सी दिखाई लगती है। मेरे ख्याल मे यह ममता नही होनी चाहिये। अगर उनमे सहृदयता ही है तो वह जनता के प्रति होनी चाहिये।

भूतपूर्व राष्ट्रपति ने लखनऊ मे कहा था कि जो लोग ब्लैक-मार्केटिंग और होर्डिंग करते है, उनको गोली मार देनी चाहिये। क्यों नही ऐसे लोगो को, जो देश, समाज और जनता के जीवन के साथ खिलवाड करते है, जो मौत के सौदागर हैं, एक एग्जैम्पलरी सजा दी जाये? उनको चौराहे पर गोली मार देनी चाहिये ताकि देश और जनता के सामने यह उदाहरण प्रस्तुत हो कि ऐसा काम करना देश और समाज के प्रति एक अधन्य अपराध है। इस सहृदयता के प्रति मेरे मन मे आशका है। इस सहृदयता' पर जो प्रसन्नता है, लेकिन कुकर्म करने वालो के प्रति सहृदयता दिखाना सही नही है।

इस विधेयक मे फूड इन्सैक्टरो के बारे मे प्रावधान है। मेरा सुझाव है कि जो नमूने हैल्थ आफिसर को दिये जायेगे, अगर उसकी जगह वे जिला अधिकारियो को दिये जाये, तो अच्छा होगा। मुझे इस बात का अनुभव कि बिहार मे हैल्थ आफिसर अक्सर बहुत गडबडी करते है, और उन गडबडियों को दूर करने के लिये नमूनो को जिला अधिकारियो को दिया जाना चाहियें।

इस बिल का समर्थन करते हुए मै यह कहना चाहता हू कि बिहार सरकार ने दहेज प्रथा के सम्बन्ध मे अपने कानून में यह प्रावधान किया है कि जो लोग दहेज लेने या देने वालो की सूचना देगे, उनको 100 रुपये इनाम दिया जायेगा। उसी तरह हैल्थ डिपार्टमेट मे फैमिली प्लानिंग को लागू करने के सम्बन्ध में इनाम की

[श्री कमल मिश्र 'मधुकर']

घोषणा की है। क्या मंत्री महोदय इस बात के लिये तैयार नहीं है कि जो लोग मिलावट की सूचना दें, उनको रिकार्ड किया जाये और उनको प्रोत्साहित किया जाये, ताकि जहां पर मिलावट हो रही है, उसकी सूचना मिल सके और कार्यवाही करने में सहूलियत हो? जनता का सहयोग लेने के लिये अगर मंत्री महोदय इस बात का भी एलान करते, तो अच्छा होता।

मंत्री महोदय ने कहा है कि ऐसे सारे काम जन-चेतना को जगाकर ही किये जा सकते हैं। सामाजिक परिवर्तन हुए बिना देश में अपमिश्रण का काम पूरी तरह बन्द नहीं हो सकता है। मंत्री महोदय को को यह नही भूलना चाहिये कि मिलावट का काम पूंजीवादी समाज की देन है। किसी समाजवादी मुल्क मे ऐसी मिलावट नही हो सकती है। जब तक पूंजीवाद का सफाया नही होता है और ऐसे समाज की रचना नही होती है जिसमें व्यक्तिगत मुनाफा और व्यक्तिगत सम्पत्ति न हो, तब तक चाहे मिलावट को रोकने के लिये जो भी कानून पास किये जायें, वे जिस हद तक प्रभावकारी हों, वे प्रशंसनीय है, किन्तु मिलावट का समूल नाश नही होगा। इसलिये यह आवश्यक है कि समाज में ऐसी प्रवृत्तियों और ऐसे सगठनों का समूल नाश किया जाये, जिनकी बुनियाद लाभ और व्यक्तिगत मुनाफे और सम्पत्ति पर है, जिसके कारण मिलावट करना जरूरी हो जाता है।

मैं इस बिल का समर्थन करता हूं और मंत्री महोदय को धन्यवाद देता हूं कि इस सीमा में भी उन्होंने जो काम किया है, वह प्रशंनीय है।

डा० कैलास (बम्बई दक्षिण) : सभापति महोदय, मैं कुछ सुझाव देना चाहता हूं। पहला-डायरेक्टर-जनरल आफ हैल्थ सर्विसेज के द्वारा स्टेट लैवल पर सिविल सर्जन और म्यूनिसिपल संस्थानों के मैडिकल आफिसर्ज का सम्मेलन जल्दी बुलाया जाये और इस कानून को इम्पलीमैंट करने के लिये उनका सहयोग लिया जाये।

दूसरा-भारत सेवक समाज ने वालन्टेरी आर्गेनाइजेशन्स का एक कान्फैडरेशन बनाया है, उसके पास एक आल इंडिया की समाज सेवी संस्थाओं की लिस्ट है। अगर सरकार भारत सेवक समाज की मदद लें, तो उसके द्वारा वालिन्टरी आर्गेनाइजेशन्स की बहुत सहायता मिल जायेगी।

तीसरा-आल-इंडिया कांग्रेस कमेटी की एक वीमेन्स विंग है। मंत्री महोदय ने वीमेन्स काउन्सिल का नाम लिया है। अगर इसी प्रकार की वीमेन्स आरगनाइजेशन्स का सहयोग ले, तो यह बुराई जल्द से जल्द दूर हो सकेगी।

एक प्रश्न यह है कि मंत्री महोदय बतायें कि जो 4 एपेलेट फूड लैबोरेटरीज खोली जा रही हैं, वे कब तक खोल दी जायेंगी? मैं चाहता हु कि मंत्री महोदय इस बारे में कोई अवधि बतायें।

डा० कर्ण सिंह : सभापति महोदय, श्री हाल्दर ने यह बात दोहराई है, जो सरदीश बाबू ने कही, अर्थात जब तक सामाजिक और आर्थिक क्रांति नही होगी, तब तक इस दुष्परम्परा का विनाश नही हो सकता है। इस बात से हम सहमत हैं, लेकिन क्रांति की परिभाषा के सम्बन्ध में हमारा मतभेद अवश्य हैं। हालदा बाबू क्रांति की जो परिभाषा करते हैं, वह हमारी परिभाषा नही है, लेकिन मेरे विचार में आपातकालीन स्थिति और 20-सूत्री कार्यक्रम क्रांति की

और कायम है। अगर हम उसका उपयोग करें और देश में जो नया वातावरण बन रहा है, उसका रचनात्मक प्रयोग कर सकें, तो मेरी समझ में हम क्रान्ति की ओर भी धीरे-धीरे बढ़ सकते हैं। जिस क्रान्ति के विषय में हाल्दर जी ने बात की है। उन्होंने एक और बात कही कि स्वास्थ्य सेवाओं को प्राथमिकता देनी चाहिये। मैं पूरे तौर पर सहमत हूं उन की इस बात से। कोई भी देश या समाज स्वस्थ नहीं होगा जब तक कि वह स्वास्थ्य सेवाओं को प्राथमिकता नहीं देगा और दुर्भाग्य से हम ने इस देश में आज तक स्वास्थ्य सेवाओं को प्राथमिकता नहीं दी। तो मेरा वह प्रयत्न है और इस सारी संसद का हमें सहयोग रहा तो अवश्य हम स्वास्थ्य सेवाओं को बढ़ाने में सफल होंगे।

गंगदेव जी ने दो प्रश्न पूछे। शायद वह यहां थे नहीं जब मैं बोल रहा था पैडी और राइस के विषय में। पैडी तो नेचुरल फार्म में है, इसलिए वह इस में नहीं आएगा लेकिन पैडी का जब राइस बनता है तब राइस में एडल्टरेशन की संभावना बन जाती है। जैसा अभी बताया था कि विशेष फैक्ट्रीज़ बनी हैं जो राइस की तरह छोटे छोटे दाने बना कर मिलाती है। इसलिए राइस को हम इसमें से नहीं निकाल सकते, पैडी निकला हुआ है। उसी तरीके से जहां तक गेंहू का सवाल है वह इस में नहीं आता। लेकिन जब वह पीसा जाता है और आटा मैदा या सूजी बनता है तब वह इस में जरूर आएगा क्यों कि पीसने में बहुत सारी मिलावट हो जाती है। यह स्पष्टीकरण मैं कर देता चाहता हूं।

उन्होंने दूसरा यह प्रश्न पूछा कि अन्य राज्यों में अलग-अलग प्रकार के स्टैंडर्ड होंगे। मैं ने अभी बताया था कि कई राज्यों के अन्दर अलग स्टैंडर्ड हैं लेकिन बहुत हद तक हमारी कोशिश यह है कि जो रोजाना की खाने वाली चीजें हैं सिवाय दूध के उन का कुछ एक जैसा स्टैंडर्ड हो ताकि उन में अधिक परिवर्तन न हो सके। तो यह अलग-अलग राज्यों में जो अलग स्टैंडर्ड होंगे इस का लाभ भी है और इस के विषय में अगर कोई और कठिनाई है तो हमारी सेंट्रल कमेटी उसको देख लेगी।

मधुकर जी ने ठीक कहा कि जो इस प्रकार की मिलावट करते हैं वह देशद्रोही हैं और समाजद्रोही हैं। इन के लिए कोई विशेष ममता तो हम ने दिखाई नहीं है, आजीवन कैद दी है। मैं समझता हूं कि आजीवन कैद प्रायश्चित करने के लिए काफी समय होता है। लेकिन मैं यह कहूंगा कि अगर कुछ वर्षों के बाद ऐसा लगा कि आजीवन कैद से भी यह चीज काबू में नहीं आ रही है और इसे और कड़ा करने की आवश्यकता है तो उस के ऊपर फिर विचार किया जा सकता है। जिलाधिकारियों को अवश्य इस में लेना चाहिये। एक बड़ा अच्छा इन का सुझाव था कि इनाम देना चाहिए जो पकड़ लें ऐसे लोगों को। इस सुझाव का मैं समर्थन करता हूं और मैं राज्य सरकारों के जो मंत्री गण आ रहे हैं अप्रैल में उन के सामने यह सुझाव रखूंगा ताकि लोगों को प्रोत्साहन हो और वह हमें इस की जानकारी दें।

डा० कैलास जैसा हमेशा कहते हैं, इन के बड़े रचनात्मक सुझाव होते हैं। सम्मेलन के विषय में और स्त्रियों के जो संगठन हैं उन के विषय में जो उन्होंने सुझाव दिए उन का मैं समर्थन करता हूं और चार अपीलिट लिबोरेटरीज यथाशीघ्र हम बनाना चाहते हैं। कुछ धनराशि हमारे पास है, कुछ अगले वर्ष हमें मिल जायगी। इस पंच वर्षीय योजना के अन्दर तक तो ये बन ही जायेंगी, मेरी यह

[डा० कर्ण सिंह]

कोशिश है कि अगले एक डेढ़ वर्ष मे ही ये बन जाये ।

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

MR. CHAIRMAN: The House now stands adjourned *sine die*.

16.59 hrs.

Lok Sabha then adjourned sine die.

GMGIPND—PMR—4369 LS—JC—3724—10-3-76—978